

**AGENDA**  
**REGULAR MEETING OF THE AMES CITY COUNCIL**  
**COUNCIL CHAMBERS - CITY HALL**  
**JULY 23, 2013**

**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 July 9, 2013
3. Motion approving Report of Contract Change Orders for July 1 - 15, 2013
4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
  - a. Class E Liquor, C Beer, & B Wine – AJ’s Liquor II, 2515 Chamberlain Street
  - b. Class B Beer – Pizza Ranch of Ames, 1404 Boston Avenue
  - c. Class C Liquor & Outdoor Service – Olde Main Brewing Co., 316 Main Street
5. Motion accepting report from staff regarding Final Plat for Somerset Subdivision, 25<sup>th</sup> Addition
6. Resolution approving Investment Report for quarter ending June 30, 2013
7. Resolution approving COTA Fall 2013 Special Project Grant Contracts
8. Resolution approving preliminary plans and specifications for 2010/11 Storm Water Facility Rehabilitation Program - Spring Valley Subdivision (Utah Drive/Oklahoma Drive) and 2012/13 Flood Response and Mitigation (Clear Creek Landslide - Utah Drive); setting August 21, 2013, as bid due date and August 27, 2013, as date of public hearing
9. Resolution approving preliminary plans and specifications for Unit 8 Generator Repairs/Re-Wedging Stator; setting August 14, 2013, as bid due date and August 27, 2013, as date of public hearing
10. Resolution awarding contract to RESCO of Ankeny, Iowa, in the amount of \$76,349.85 for Furnishing 1/0 Aluminum Cable for Electric Services Department
11. Resolution awarding contract to Mitsubishi Electric Power Products of Warrendale, Pennsylvania, in the amount of \$169,131.75 for Furnishing SF6 Circuit Breakers
12. Resolution awarding contract to Hamby-Young of Aurora, Ohio, in the amount of \$52,552.84 for Substation Electrical Materials Bid No. 1 – 69kV Switches
13. Resolution awarding contract to RESCO of Ankeny, Iowa, in the amount of \$66,160.70 for Substation Electrical Materials Bid No. 2 – Instrument Transformers
14. Resolution awarding contract to Fletcher-Reinhardt Company of Bridgeton, North Dakota, in the amount of \$11,273.52 for Substation Electrical Materials Bid No. 3 – Lightning Arresters
15. Resolution awarding contract to Galvanizers, Inc., of West Fargo, North Dakota, in the amount of \$2,189.62 for Substation Electrical Materials Bid No. 4 – Steel Structures
16. Resolution approving contract and bond for 2012/13 Arterial Street Pavement Improvements (State Avenue)

17. Resolution approving Change Order No. 3 with Abatement Specialties of Cedar Rapids, Iowa, for Library Renovation and Expansion Abatement Work in the amount of \$5,803.00
18. Resolution approving Change Order No. 1 with Garney Construction of Gardner, Kansas, for WPC Ultra Violet Disinfection Project in the amount of \$124,080.96
19. Resolution accepting final completion of public improvements for Ringgenberg Park Subdivision, 3<sup>rd</sup> Addition
20. Resolution accepting final completion of WPC Facility Basin Liner Replacement Project
21. Resolution approving final completion of Motor Control Center Replacement at WPC
22. Resolution approving Plat of Survey for Satterwhite property located between Emma McCarthy Lee Park and Munn Woods
23. Resolution approving Final Minor Plat for SE Corner of U.S. Highway 30 and Interstate Highway 35 Subdivision (56722-241st Street)
24. Resolution approving Final Minor Plat for Woodbridge Subdivision, Plat 2

**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:**

25. Motion approving 5-Day Class C Liquor License for Olde Main Brewing at Reiman Gardens, 1407 University Boulevard
26. Requests from Campustown Action Association for Friday Afternoon Celebration on August 30, 2013:
  - a. Motion approving Blanket Temporary Obstruction Permit and Blanket Vending License
  - b. Motion approving 5-day Class B Beer Permit with Outdoor Service
  - c. Resolution approving closure of Welch Lot T from 7:00 a.m. to 10:00 p.m., waiver of parking meter fees, and waiver of fee for Blanket Vending License
27. ISU Research Park Traffic and Pedestrian Crossing Evaluation

**HEARINGS:**

28. Hearing on 2012/13 Water System Improvements Water Main Replacement #3 (Center Avenue):
  - a. Resolution approving final plans and specifications and awarding contract to Ames Trenching & Excavating, Inc., of Ames, Iowa, in the amount of \$118,078.00
29. Hearing on 2013 Softball Field Fencing & Lighting South River Valley Park Project:
  - a. Motion accepting report of bids
30. Hearing on Woodview Drive Sanitary Sewer and Water Main Project:
  - a. Resolution approving final plans and specifications and awarding contract to Keller Excavating, Inc., of Boone, Iowa, in the amount of \$215,822.00
31. Hearing on rezoning property located at 4130 Lincoln Swing from Residential Low Density "RL" to Residential High Density "RH"(continued from June 25, 2013):
  - a. Resolution approving Contract Rezoning Agreement
  - b. First passage of ordinance

**FIRE:**

32. Motion directing staff to draft amendment to Lease to clarify proposed uses within the Veenker Golf Course Maintenance Building in Moore Memorial Park and future ancillary uses

**ADMINISTRATION:**

33. Resolution approving 2014/15 ASSET Priorities

34. 2012 Carbon Footprint Report

**FINANCE:**

35. Follow-up report on City WiFi Service

**ORDINANCES:**

36. First passage of ordinance revising parking regulations on Burnham Drive

37. Second passage of ordinance to correct Table 29.808(2) pertaining to uses in the Downtown Service Center

38. Third passage and adoption of ORDINANCE NO. 4155 rezoning property located at 921 9<sup>th</sup> Street (former Roosevelt Elementary) from Government/Airport (S-GA) to Urban Core Residential Medium Density (UCRM)

**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 MEETING OF THE AMES AREA  
METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE  
AND REGULAR MEETING OF THE AMES CITY COUNCIL  
COUNCIL CHAMBERS - CITY HALL**

AMES, IOWA

JULY 9, 2013

**MEETING OF THE AMES AREA METROPOLITAN  
PLANNING ORGANIZATION TRANSPORTATION POLICY COMMITTEE**

The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee met at 7:00 p.m. on the 9th day of July, 2013, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with the following voting members present: Ann Campbell, Wayne Clinton, Jeremy Davis, Matthew Goodman, Jami Larson, Peter Orazem, Victoria Szopinski, and Tom Wacha. City of Ames Transportation Engineer Damion Pregitzer and Iowa State University representative Cathy Brown were also present. Voting Members Chet Hollingshead, Boone County Supervisor; Jonathan Popp, Gilbert City Council representative; and Dan Rediske, Transit Board representative were absent.

**FISCAL YEAR 2014-17 (FY 2014-17) TRANSPORTATION IMPROVEMENT PROGRAM (TIP):** Ms. Campbell opened the public hearing. No one wished to speak, and the hearing was closed.

Moved by Davis, seconded by Clinton, to approve the proposed FY 2014-17 TIP.  
Vote on Motion: 8-0. Motion declared carried unanimously.

**ADJOURNMENT:** Moved by Davis, seconded by Clinton, to adjourn the AAMPO Transportation Policy Committee meeting at 7:04 p.m.

**MINUTES OF THE REGULAR CITY COUNCIL MEETING**

Mayor Ann Campbell called the Regular Meeting of the Ames City Council to order at 7:10 p.m. with Jeremy Davis, Matthew Goodman, Jami Larson, Peter Orazem, Victoria Szopinski, and Tom Wacha present. *Ex officio* Member Alexandria Harvey was absent.

The Mayor informed the Council that, regarding the order of the Agenda, Ordinances would be acted on before Hearings.

**CONSENT AGENDA:** Mayor Campbell advised that Item No. 14 pertaining to the contract and bond for Power Plant Maintenance Services had been pulled by Purchasing staff; the bond had not been received.

Moved by Goodman, seconded by Davis, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of June 25, 2013
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for June 16 - 30, 2013
5. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
  - a. Class C Liquor – Welch Ave. Station, 207 Welch Avenue
  - b. Class B Native Wine – Artisan Peace Stores, 136 Main Street
  - c. Special Class C Liquor, B Native Wine, & Outdoor Service – Wheatsfield Cooperative, 413 Northwestern Avenue, Ste. 105
  - d. Class B Beer – Panchero’s Mexican Grill, 1310 South Duff Avenue
  - e. Class C Liquor – Applebee’s, 105 Chestnut Street

- f. Class C Liquor – Sportsman’s Lounge, 123 Main Street
  - g. Class C Liquor & Outdoor Service – Bar, 823 Wheeler Street, Suite 4
  - 6. RESOLUTION NO. 13-311 approving *Municipal Code* Supplement No. 2013-3
  - 7. RESOLUTION NO. 13-312 approving contract with EMC Risk Services for Workers Compensation Administrative Services
  - 8. RESOLUTION NO. 13-313 approving lease with Jefferson Lines at Intermodal Facility
  - 9. RESOLUTION NO. 13-314 approving Neighborhood Improvement Program grant for Old Town Park project
  - 10. RESOLUTION NO. 13-315 approving preliminary plans and specifications for Water Pollution Control Facility Methane Engine - Generator Set No. 2 Rehabilitation; setting August 15, 2013, as bid due date and August 27, 2013, as date of public hearing
  - 11. RESOLUTION NO. 13-316 approving waiver of formal bidding requirements and authorizing purchase of Software Maintenance from Sungard Public Sector
  - 12. RESOLUTION ON. 13-317 approving waiver of formal bidding requirements and authorizing purchase of Shared Public Safety Software Maintenance from Sungard Public Sector
  - 13. RESOLUTION NO. 13-318 approving contract and bond for 2012/13 Ames Municipal Cemetery Improvements (Paving Improvements)
  - 14. RESOLUTION NO. 13-320 approving Change Order No. 1 for CyRide Facility Improvements
  - 15. RESOLUTION NO. 13-321 approving renewal of contract with Fletcher Reinhardt of Cedar Rapids, Iowa, in accordance with unit prices bid for Watthour Meters for Electric Meter Division
  - 16. South Fork Subdivision, 4<sup>th</sup> Addition:
    - a. RESOLUTION NO. 13-322 accepting partial completion of public improvements
    - b. RESOLUTION NO. 13-323 approving Final Major Plat
- Roll Call Vote: 6-0. Resolutions/Motions declared adopted/carried unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**PUBLIC FORUM:** Richard Deyo, 505 Eighth Street, #2, Ames, requested that the City Council vote on his continued request to speak under Council Comments, instead of under Public Forum. Mayor Campbell advised that the rules had not changed.

No one else came forward to speak, and the Mayor closed Public Forum

**5-DAY SPECIAL CLASS C LIQUOR LICENSE FOR OLDE MAIN BREWING COMPANY:**  
 Moved by Davis, seconded by Larson, to approve a 5-Day Special Class C Liquor License for Olde Main Brewing Company at ISU Alumni Center, 420 Beach Avenue.  
 Vote on Motion: 6-0. Motion declared carried unanimously.

**REQUEST FROM WATERS EDGE TOWN HOME ASSOCIATION PERTAINING TO PARKING REGULATIONS ON BURNHAM DRIVE:** Damion Pregitzer, City Transportation Engineer, advised that, at its May 14, 2013, meeting, the City Council had referred a letter from the Waters Edge Town Home Association requesting that the parking regulations along Burnham Drive be changed to restrict parking along the north side of the street. Currently, parking is restricted at all times on the south side of the street. The Town Home Association’s letter cited two reasons for requesting the change: (1) the fire hydrants are located on the north side and (2) the south side has more street frontage for parking due to the current layout of driveways. The letter also indicated that 20 of the 27 residents living on Burnham Drive support the change; five would like to retain the parking restriction on the south side, and two did not respond. According to Mr. Pregitzer, staff found no safety or operational issues in changing the parking restriction to the north side of the

street. The change will actually bring the parking regulations into line with current standards for subdivisions by restricting parking on the same side of the street where fire hydrants are located.

Moved by Davis, seconded by Goodman, to direct the City Attorney to draft an ordinance that would restrict parking at all times on the north side of Burnham Drive and allow parking on the south side.

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

**REQUEST FOR RESERVED HANDICAPPED ACCESSIBLE PARKING IN CENTRAL BUSINESS DISTRICT (CBD) LOT X:**

Transportation Engineer Pregitzer noted that, on June 11, 2013, the City Council had referred to staff a letter from Shelley Jaspering requesting that an existing van-accessible stall in CBD Parking Lot X be designated as a reserved parking stall. Ms. Jaspering is the owner of a business located in the Town Center building, which is directly adjacent to the east side of Tom Evans Park in the Downtown District; that building is only handicapped accessible from the back side of the building by way of a concrete ramp. Currently, there are no van-accessible reserved stalls in the Ames parking system that are designed for disabled users only. The parking stall in question is located in the far northeast corner of CBD Lot X (Stall 398H).

According to Mr. Pregitzer, this situation is a rare occurrence for business districts in Ames. This case, in particular, proved that there were times when Ms. Jaspering, who owns a Downtown business, needed to open her business, but the handicapped stall had already been taken. She then had to find another stall, which might be several blocks away, or not open her business. Mr. Pregitzer explained staff had met on-site to discuss the situation and believes that the most-cost-effective solution would be to designate one of the existing accessible stalls in CBD Lot X as a restricted reserved stall. That stall would be time-restricted, in that it would be reserved only during the work hours from Monday through Friday. The Council was told that Ms. Jaspering had requested that the stall be offered to her at a reduced price (\$25 instead of the standard \$35/month) since it would not be reserved for her 24/7.

Council Member Larson asked if the \$25 “business-hour-only” rate was offered to other people. Mr. Pregitzer stated that it is not offered anywhere else; however, because this is an American with Disabilities Act (ADA) request with specific needs, the City-wide policy regarding reserved stalls would not be changed. He pointed out that the City Council does have the option to retain the \$35 rate for a 24/7 reserved space. Mr. Larson said that he was concerned about setting a precedent. Assistant City Manager Melissa Mundt added that this is a unique situation in that it needs to be accessible for a van and other spaces do not have the correct configuration to allow that. She pointed out that the space would be made available to those with similar needs to use the space during the evening hours and weekends.

Moved by Davis, seconded by Szopinski, to adopt RESOLUTION NO. 13-328 approving an update to the Parking Meter Map to show Parking Stall 398H in CBD Lot X as a reserved van-accessible handicapped stall (No. 398RH) and establish a rate of \$25/month, Monday through Friday.

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

**ORDINANCES TO ALLOW CONVERSION OF A FORMER SCHOOL BUILDING TO AN APARTMENT DWELLING IN THE URBAN CORE RESIDENTIAL MEDIUM-DENSITY ZONE (UCRM) AS A PERMITTED USE:** Moved by Davis, seconded by Larson, to pass on second

reading an ordinance to allow conversion of a former school building to an apartment dwelling in the Urban Core Residential Medium-Density Zone (UCRM) as a permitted use.

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

Moved by Larson, seconded by Davis, to suspend the rules necessary for the adoption of an ordinance.

Roll Call Vote: 4-2. Voting aye: Davis, Larson, Szopinski, Orazem. Voting nay: Goodman, Wacha. Motion failed.

**ORDINANCE TO ALLOW HIGHER RESIDENTIAL DENSITY IF SPECIFIED IN AN ADAPTIVE REUSE PLAN APPROVED BY THE CITY COUNCIL:** Moved by Davis, seconded by Goodman, to pass on second reading an ordinance to allow higher residential density if specified in an Adaptive Reuse Plan approved by the City Council.

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

Moved by Goodman, seconded by Davis, to direct staff to place third reading on the workshop agenda for July 16, 2013.

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

**ORDINANCE PERTAINING TO SHARED COMMON LOT LINE GARAGES:** Moved by Davis, seconded by Goodman, to pass on third reading and adopt ORDINANCE NO. 4151 pertaining to shared common lot line garages.

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

**ORDINANCE SETTING SPEED LIMIT ON STATE AVENUE:** Moved by Davis, seconded by Goodman, to pass on third reading and adopt ORDINANCE NO. 4152 setting the speed limit on State Avenue from a point 250 feet north Meadow Glen Road to a point 250 feet south of Oakwood Road.

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

**HEARING ON ZONING TEXT AMENDMENT TO CORRECT TABLE 29.808(2) PERTAINING TO USES IN THE DOWNTOWN SERVICE CENTER:** Mayor Campbell opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Larson, seconded by Davis, to pass on first reading an ordinance correcting Table 29.808(2) pertaining to uses in the Downtown Service Center.

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

**HEARING ON VACATION OF UTILITY EASEMENT FOR 2825 EAST 13<sup>TH</sup> STREET:** The public hearing was opened by the Mayor and closed after no one asked to speak.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 13-324 approving the vacation of a utility easement for 2825 East 13<sup>th</sup> Street.

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

**HEARING ON PURCHASE OF SF6 CIRCUIT BREAKERS:** The public hearing was opened by Mayor Campbell. There being no one wishing to speak, the hearing was closed.

Moved by Davis, seconded by Wacha, to accept the report of bids and delay award of the contract.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**HEARING ON PURCHASE OF SUBSTATION ELECTRICAL MATERIALS:** Mayor Campbell opened the public hearing and closed same after no one requested to speak.

Moved by Davis, seconded by Goodman, to accept the report of bids and delay award of contract.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**HEARING ON WOODVIEW DRIVE SANITARY SEWER AND WATER MAIN INSTALLATION PROJECT:** The public hearing was opened by Mayor Campbell.

Mike Bryant, 2516 Woodview Drive, Ames, spoke as a proponent of the project. Mr. Bryant thanked members of City staff and the residents of Woodview Drive for working through the process.

The Mayor closed the hearing after no one else came forward to speak.

Moved by Davis, seconded by Wacha, to adopt FINAL RESOLUTION OF NECESSITY NO. 13-325.

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

**HEARING ON REZONING PROPERTY AT 921-9TH STREET:** The Mayor opened the public hearing.

Sharon Wirth, 803 Burnett, Ames, spoke as Chairperson of the Historic Preservation Commission (HPC). Ms. Wirth advised that, at its June 19, 2013, Special Meeting, the HPC voted unanimously to recommend that the City Council approve the rezoning so that the project could move ahead.

There being no one else wishing to speak, the Mayor closed the hearing.

Moved by Goodman, seconded by Davis, to pass on first reading an ordinance rezoning property located at 921-9th Street (former Roosevelt Elementary) from Government/Airport (S-GA) to Urban Core Residential Medium Density (UCRM)

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

Moved by Davis, seconded by Larson, to direct City staff to place this item on the City Council workshop agenda for second reading on July 16, 2013.

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

**ASSET PRIORITIES FOR 2014/15:** Assistant City Manager Melissa Mundt said that, in December 2012, the City Council directed staff to meet with the City's ASSET volunteers to discuss the current schedule since the Council had been approving the priorities after the agencies had applied for funding. The ASSET members voted to change their schedule and have the funders bring back



their priorities in August and set the priorities prior to the instructions being sent to the agencies applying to have services funded.

Ms. Mundt reviewed the City's ASSET Priorities as adopted by the City Council for 2013/14 (from high to lower priority):

1. Emphasis on assistance to low- and moderate-income families
2. Meeting basic needs
3. Crisis intervention
4. Prevention
5. Transportation

Ms. Mundt said that the City's ASSET volunteers met in May and early June to discuss the priorities for Ames and to review data to help develop an understanding of needs. The sources of data reviewed were listed by Ms. Mundt. City staff had already provided the ASSET volunteers three years' funding recommendations from ASSET volunteers that had been approved by the City Council. From that review, it was discovered that the approved funding fell into one of four panels: Health Services, Basic Needs, Youth and Children Services, and Prevention and Support, and the volunteers concluded that funding was being prioritized in a way that was consistent with the City Council's priorities.

According to Ms. Mundt, the volunteers then looked at the outside data to determine needs in the community and attempted to understand what it means to be of low- to moderate-income. Ms. Mundt listed some of the statistics the volunteers looked at when conducting their research. The Council was told by Ms. Mundt that ASSET volunteers also tried to determine, through looking at data, the cost of meeting the basic needs. She shared that, according to the *Cost of Living in Iowa --2011 Edition* study, it is estimated that 74% of working single-parent families in Iowa earn less than the minimum amount needed to meet basic needs. Ms. Mundt also made the Council aware that the estimated median household income from 2007-2011 for Ames was \$42,062, moderate income \$33,649 (or 80% area median income), and low income \$21,031 (or 50% of median area income).

Ms. Mundt stated that the City's ASSET volunteers have determined that the focus needs to remain similar to prior years' priorities and reaffirmed that meeting basic needs was the top priority. However, they would like more emphasis on bridging the needs for those falling below median income and above Federal poverty level. The volunteers had made the following recommendations for the 2014/15 Priorities:

1. Meet basic needs of low- to moderate-income:
  - a. Housing cost-offset programs
  - b. Quality childcare cost- offset programs, including daycare and State of Iowa licensed in-home facilities
  - c. Food cost-offset programs to assist in providing nutritional perishables and staples
  - d. Transportation cost-offset programs for the elderly and families

According to Ms. Mundt, the volunteers wanted to emphasize the gap where individuals are considered the "working poor" and to see how the City dollars could make more of an impact

on their fight against slipping completely into poverty.

Council Member Goodman raised the point of possibly using some funding from the Community Development Block Grant (CDBG) allocation to help with these programs.

2. Meet mental health and chemical dependency services needs:
  - a. Provide outpatient emergency access to services
  - b. Provide crisis intervention services
  - c. Provide access to non-emergency services
  - d. Ensure substance abuse preventions and treatment is available in the community

Per Ms. Mundt, the volunteers for the City determined that continued emphasis on mental health and chemical dependency was necessary due to a study that was conducted by the University of Iowa Health Care system. It noted that there are 184,000 people with a serious mental illness in Iowa - approximately 6% of the population. Ms. Mundt noted that Iowa ranks 48th in the U.S. for number of psychiatric hospital beds per capita at only 4.9 per 100,000. Though ASSET does not fund inpatient services to help those with mental illness or chemical dependency, it is critical to have outpatient programs to help provide opportunities for those struggling with mental illness and dependency. State of Iowa funding for these services remains insubstantial, since the State of Iowa has not changed its funding formula to counties since 1995. Additionally, mental health redesign was not set up to address the issues of funding in any significant way. ASSET helps ensure these services are available in Ames for those above the federal poverty level.

3. Youth development services and activities. Ms. Mundt stated that the volunteers also agreed that the services and activities for all youth were critical to the community regardless of their ability to pay. The volunteers also noted that the City Council had identified youth in its goals as being a priority to help strengthen the community.
4. Provide ASSET-funded programs with dollars to increase awareness of assistance funded by ASSET. The volunteers wanted to work with ASSET to help ensure awareness about the services; there was concern that individuals who need assistance are not aware of the variety of programs in this community, and ASSET should support dollars toward ensuring awareness.

Council Member Orazem asked if there were agencies that fall out of the above-listed priorities. Ms. Mundt noted two agencies, Red Cross and Story County Volunteer Services, which provide emergency services. What is currently being funded with those two organizations are response services to disasters like flooding, tornado, or bad storms, so according to Ms. Mundt, there might be some logic to funding those organizations outside of the ASSET process, if the City Council so directed.

Council Member Larson noted that several Council members had questions about duplication of services after the large funding request came in from the Salvation Army. He pointed out that, even though ASSET funds services, not agencies, the funding is still distributed through agencies. Mr. Larson asked how it can be assured that the process is being closely monitored when the approval is ultimately going to agencies. Ms. Mundt advised that the ASSET panel volunteers ask those questions when they are reviewing the requests. There are similar services offered by different

agencies, but they start and stop at different places. Mr. Larson asked if it were possible for the Council to get an executive summary a week or two in advance of having to approve the requests. He specifically asked if the ASSET schedule could be moved up a little bit. Ms. Mundt said that the Joint Funders and the Administrative Team had discussed moving up the priorities process. A follow-up conversation had occurred on ensuring that the City, Story County, and United Way had enough time to review the recommendations; however, that was not resolved.

The next steps needed to be taken were explained by Ms. Mundt. The ASSET volunteers will seek final approval of the 2014/2015 ASSET priorities at the July 23, 2013, City Council meeting.

Council Member Davis said that he was concerned about No. 4 (Promotion and Awareness). He saw it as taxpayers paying for advertising, and in his opinion, that should come from non-taxpayer sources. Council Member Wacha said he agreed to some degree; however, if there are funded programs that are being underutilized, he could see where awareness of the program should be promoted. Council Member Szopinski said that there might be a need to promote programs to a segment of the population who does not have access to newspapers or computers. Ms. Mundt stated that it was not meant to be construed as advertising; it could mean that volunteers would hold community forums, print flyers, etc. She suggested that she talk to the volunteers to clarify what was meant by promoting the programs and contended that it did not mean advertising in the traditional sense.

Council Member Goodman said he was not aware that the City Council had desired to reset the priorities. He felt that the City Council was the appropriate agency to set priorities; they are the elected representatives in the community and they need to channel the funding to the priorities. He was surprised that ASSET volunteers had recommended new priorities.

The recollection of Council Member Goodman was that the Council receives a funding request, which may ask for an increase over the past year's allocation. The Council then needs to make a decision on funding and/or an increase in funding; that decision is influenced by what has been told to the Council about needs. He said he would like the conversation to be not just about what the agency thinks it should ask for. Council Member Larson suggested that perhaps a special meeting be held to ask specific questions about the requests and then the Council would actually vote on the requests at the next Council meeting. Ms. Mundt said that the ASSET volunteers are going to recommend that the City Council vote "by panel" similar to the way the United Way handles the requests. She said that would mean the Council would direct a certain percent of dollars be put towards each priority. The ASSET volunteers need to know the exact number of dollars they have to work with, be it a cap or threshold.

Council Member Goodman said he hoped that, when the Council discusses the funding requests next year, the conversation won't just be about the percentage requested or the percentage recommended, and the Council has to guess. He stated that he was more concerned about how many people had to be turned away from programs. It was most important to him to understand the needs of the community. Mr. Goodman advised that he is unsure if the present process is yielding the results that are desired.

Council Member Szopinski said she has no idea what percentage of the population fits into the various need areas. Council Member Larson pointed out that, every few years, the United Way conducts a Needs Assessment. Ms. Mundt advised that the ASSET volunteers look at the Story County Needs Assessment to determine how much of the City's population needs assistance, and

the priorities fall in line with that Assessment. Ms. Mundt said she would provide another copy of the Assessment to the Council.

Council Member Larson expressed his desire that, within one month time of when the Council is asked to approve an increase in its ASSET allocation, a staff report that would be a combination of written material and perhaps an executive summary be provided to the Council and that the Council would be given an opportunity to ask specific questions about the specific services. In this way, Council can ask questions, get answers, and provide feedback prior to the time the vote is taken. Assistant City Manager Mundt said the problem with that would be a process-related concern on the budget side. She said that Council is being asked for an allocation of dollars first so that the ASSET volunteers know what amount they have to work with along the Council's priorities. The soonest she would have a mid-year report to provide more information to the Council members to help them set that total allocation would be December and the soonest she would have information back from the volunteers would be November because they have between September and November to prepare agency reports and submit them to the Administrative Team.

Mayor Campbell noted that she had once served as a member of a human service agency and explained that the ASSET process came about as a way to keep the funders from having to decide on the percentages to be allocated to different agencies. It is important for the Council to set its priorities and give direction to the ASSET volunteers. Council Member Wacha agreed and expressed his concern that the City Council not micro-manage the ASSET process. He believes that the current process works well with dedicated volunteers. Ms. Mundt asked if the Council would prefer not to see what the agency asked for in the past, but rather whether a change in the panel had been seen based on the needs of the community, and then a suggestion made as to what percentage of an increase, if any, should be considered.

Council Member Wacha said his recollection of the previous discussion last fall was exactly what was presented by staff at this meeting; i.e., work with ASSET to set the priorities first, get Council approval of those priorities, and then use those priorities at the beginning of the ASSET deliberations for the next fiscal year.

Council Member Goodman advised that he still wants to know how many people did one of the agencies have to turn away. Ms. Mundt replied that the Administrative Team does not get statistics on that. Mr. Goodman noted that when he talks to people, he gets numbers. To him, the process should be about understanding the needs of the community. City Manager Schainker pointed out that all the funding entities have to agree or the City will have to pick up the increase. Council Member Goodman said that was the piece that had not been discussed at all, and it is a serious piece. In his opinion, the City actually held itself back from helping to solve community problems because one of the funders was not or chose not to increase its allocation. He does not believe that the way the City is allocating its funding is yielding the results that are desired. Mayor Campbell strongly encouraged the Council members to attend the Joint Funders' meetings in the future.

City Manager Schainker asked the Council to provide staff with direction. Ms. Mundt advised that the priorities will be brought back to the City Council for approval or modification at its July 23, 2013, meeting.

Council Member Szopinski shared that, under No. 4 (Promotion and Awareness), there are a lot of different ways to bring awareness to services. She feels that there is no reason to have those services if people who need them are not aware that they exist. Council Member Davis reiterated

that he did not believe that taxpayer dollars should be spent on advertising; that is why this is a joint-funding process and funding, that does not come from tax-payer dollars, could be used. Taxpayer funding needs to pay for the actual service. Mayor Campbell pointed out that there are other ways, besides putting an ad in the newspaper, to get the word out. Ms. Szopinski again noted that some populations in need have less access to information and require something more creative. Council Member Orazem said it is important that when people come to Ames and they talk to one agency, they are informed of what other agencies they need to talk to. It is difficult when you are new to a community to know what is available, and it is important that service providers need to know what other services are being provided.

Council Member Goodman said that he was more comfortable with the previous Council-approved priorities rather than the ones that the ASSET volunteers were now recommending.

Regarding mental health services, which traditionally had been a County responsibility, Council Member Orazem noted that the City had been asked to “shore-up” needs because of limitations on the County’s ability to fund them. He asked that if mental health services were set as a City priority, would that be construed to mean it was a funding priority or a need priority. Ms. Mundt said the volunteers were looking at it from a need perspective. Mr. Orazem stated it was really important not to confuse those two. He noted that the City is participating in mental health services because there was no one else who could step forward even though it wasn’t traditionally one of the City’s responsibilities.

Council Member Orazem also said that it was his hope that when the agencies are provided with the City’s funding priorities, they will provide information as to what percentage of the population they serve and what percentage of the population has a certain need.

Mr. Orazem suggested that No. 2 be broadened to include sheltering; that was a big problem with changes in funding in the last year.

Council Member Goodman said he was disappointed that Crisis Intervention was not a priority. Ms. Mundt pointed out that Crisis Intervention was included under No. 2.

Moved by Goodman to direct staff to provide, prior to the Council being asked to commit to the total ASSET funding allocation, the estimated number of citizens served in the previous year and the needs in those categories. Motion died for lack of a second.

Moved by Wacha, seconded by Orazem, to direct staff to come back at the July 23, 2013, Council meeting with a recommendation that the Council adopt the four recommended priorities for human services funding, as clarified.

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

Moved by Goodman, seconded by Szopinski, to direct staff, in the regular ASSET budgeting cycle, but prior to the night the City Council is asked to approve the total funding allocation, to provide information about the needs served and the needs, as anticipated by the agencies, in the priorities that will be determined on July 23, 2013.

Assistant City Manager Mundt again expressed her concern about being able to provide that information due to the way ASSET’s calendar is set and it would be very difficult to change the

cycle. She noted that none of the other funders have an issue with the way the process has worked.

Council Member Goodman clarified his goal in making that request: before deciding on funding allocations, he would like to have a sense of what was served last year and the needs that didn't get served last year. City Manager Schainker asked if that information could be requested as part of the application. Ms. Mundt replied that there already is a statistics page in the application, so that information is being provided.

Motion withdrawn.

Moved by Goodman, seconded by Szopinski, for staff to make an effort to try to get the Council information at a meeting before the traditional meeting when Council determines the funding allocation on needs in the priority categories served and unserved needs in those categories for the previous year.

Ms. Mundt replied that the unserved is where there will be a challenge.

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

**EXTENSION OF SUSTAINABILITY COORDINATOR CONTRACT:** Assistant City Manager Mundt advised that the current Sustainability Coordinator contract expired on June 30, 2013. For the past two years, the City Council approved a Scope of Services to focus only on the reduction of electric consumption. The expectation was that the primary focus would be to provide City staff assistance to the three committees in implementing the Task Force's recommendations. According to Ms. Mundt, in keeping with the Council's direction, staff was recommending that the Sustainability Advisory Services Contract with ISU be approved with the Scope of Services being targeted in five specific areas and/or projects related to energy consumption reduction for 2013/14. Ms. Mundt and Electric Services Director Donald Kom explained the specific areas to be included, as follows:

1. Develop a program and related communications materials for businesses, non-profit and civic facilities entitled, "Five Ways to Start Saving Energy." As part of the program, an awards/recognition component will be developed and branded around the city's 150<sup>th</sup> Anniversary and/or Sesquicentennial.
2. Review of the city's building codes as it pertains to energy efficiency requirements and a report to the City Council regarding how the city compares other municipalities within the State of Iowa and nationally.
3. Advise the City on updating the Smart Energy programs on the City's website to provide a better customer experience.
4. Work with Iowa State University professors and students to develop a residential energy consumption comparison tool.
5. Work with Public Works and Electric Services to educate the ISU community and all residents on waste diversion and reuse as related to promoting the City's waste-to-energy program.

Council Member Goodman asked if the Sustainability Task Force was still operational. City

Manager Schainker advised that it was not; the Task Force had completed its report and recommended three committees to address various tasks. The Sustainability Coordinator works with those three committees. According to Mr. Schainker, the only one of the five recommended areas that doesn't tie back to the original Task Force was No. 5; that is because the Task Force focused directly on reducing electric consumption. There is, however, a direct tie to sustainability with No. 5 as it pertains to the Resource Recovery Plant (RRP) and subsequently to Electric Services. Council Member Goodman said he was in favor of adding No. 5, and hopes that it will actually further develop into composting and other ways to save capacity at the RRP.

Moved by Goodman, seconded by Szopinski, to adopt RESOLUTION NO. 13-326 approving extension of the Sustainability Coordinator Contract through June 30, 2014.

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

**STAFF REPORT ON CITY WiFi SERVICE:** Finance Director Duane Pitcher recalled that at the November 27, 2012, City Council budget guidelines, discussion included a suggestion for review of the public WiFi system, specifically a review of service for outdoor locations. Mr. Pitcher noted that the current contract for the service would expire August 2013, and would continue on a month-to-month basis after the expiration unless changes were directed back to staff to do otherwise.

Mr. Pitcher advised that the short-term use of the Internet appears to have shifted substantially since the program was started. Short-term outdoor access to the Internet is now accessed more commonly and conveniently using smart phones with faster 3G/4G data plans. The City's outdoor locations are Brookside Park, Campustown Court, Hunziker Youth Sports Complex, and Tom Evans Plaza. It was shared by Mr. Pitcher that staff had asked the managers of the Hunziker Youth Sports Complex to provide feedback as to the usage of that hotspot. Staff was told that people are not coming to the Complex to use their laptops; however, when there are soccer or softball tournaments, the tournament organizers are using the City's WiFi to enter results, schedule umpires, etc., and also using the Internet for their Board meetings. The intent for widespread public use has not been met at the Youth Sports Complex.

Council Member Orazem pointed out that WiFi is needed at the Furman Aquatic Center for City staff to use. Mr. Pitcher advised that that one is an extension of the City's system. There is no additional infrastructure needed to run it, and staff is recommending that it be retained.

Council Member Larson asked how much of a decrease in the amount for ICS locations would be realized if two of the four (Brookside and Hunziker Youth Sports Complex) were eliminated. Stan Davis, Information Technology Manager, advised that the entire amount (\$4,200) would be eliminated. He said that, with the City's desire to promote the Campustown Action Association (CAA) and the Main Street Cultural District (MSCD) as gathering spots, he would prefer the outdoor spots in those areas would not go away. Council Member Orazem noted that there are private businesses who already promote the service in those areas. Mr. Pitcher stated that the staff could provide the information to Council as to how much the cost would decrease and whether the two organizations (CAA and MSCD) would want to continue providing the service on their own. Mr. Larson said perhaps the two organizations could provide the service on a more cost-effective basis. Council Member Wachua pointed out that the usage data supports the belief that it is the people living in the apartments near Tom Evans Plaza and Campustown Town Plaza using the City's hotspots for free WiFi service. He noted that the average individual log-in for unique user was four times that of anyplace else.

Three options were presented for the City Council's direction in regards to outdoor service:

1. Continuing the service as currently offered while monitoring usage, and providing a report to Council at a later date.
2. Expanding service to include additional outdoor locations.
3. Eliminate some, or all, of the Pilot Outdoor locations, but continue the service to the City-managed locations which include all of the indoor locations and Furman Aquatics Center. Under this option the City would continue to offer access to private providers who offer service at City outdoor locations.

Moved by Davis, seconded by Orazem, to eliminate the four pilot outdoor locations: Brookside Park, Campustown Court, Hunziker Youth Sports Complex, and Tom Evans Plaza.

Council Member Szopinski wanted more information prior to deciding to eliminate all four of the outdoor service areas. She does not want to abruptly cut off the service.

Council Member Larson asked who had paid for the installation of infrastructure necessary to provide the Internet service. Mr. Davis replied that the City had paid for it; he thought it had cost \$25,000/location. Mr. Larson stated that he was interested in knowing what would happen to the capital investment made by the City. He wondered if the infrastructure would be left for a certain amount of time in case there was an overwhelming citizen response that would want the service back. Mr. Pitcher stated that staff would have to follow-up with that information. Mr. Larson said he could support the motion as long as the City's investment does not go away for a period of time.

Motion withdrawn by Davis.

It was noted that more information would be provided to the City Council, and the item would be placed on the Council's July 23, 2013, meeting Agenda. Council Member Goodman asked to also know the cost per location. Council Member Larson agreed and said he also wanted to specifically know what it would cost to retain the service in Campustown Court and Tom Evans Plaza.

**CHANGE ORDER TO A&P/SAMUELS GROUP:** Moved by Davis, seconded by Goodman, to adopt RESOLUTION NO. 13-327 approving Change Order No. 4 in the amount of \$21,214 to A&P/Samuels Group.

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

**LIBRARY WINDOW RESTORATION:** Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 13-319 approving preliminary plans and specifications for Window Restoration, setting July 31, 2013, as bid due date and August 13, 2013, as date of public hearing.

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

The meeting recessed at 9:00 p.m. and reconvened at 9:10 p.m.



**DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONES:** City Manager Steve Schainker emphasized that staff was not asking for any final decisions to be made at this meeting. He brought the Council’s attention to a summary of the issues that had been placed around the dais. Mr. Schainker said that staff is looking to develop consistency in the residential zoning regulation interpretations and wishes to verify with Council if the current standards meet the design intent and character that the Council is looking for in residential developments.

Planner Karen Marren identified the issues:

Issue 1: Occupancy Limits. By allowing single-family attached units to be classified as apartments when constructed on a large lot (more than one acre), the *Municipal Code* allows the occupancy limit for each unit to be increased from three unrelated persons as a single-family attached unit to five unrelated persons as an apartment.

The policy question being asked by staff is should the occupancy limits for single-family attached units (whether combined on one large lot with other units or on separate lots per each unit) be the same or different. Three options were presented by Ms. Marren, which included:

1. Revise the definitions in the Zoning Ordinance to only allow all single-family attached dwelling units to be occupied by a family, which, by definition, is no more than three unrelated people.

Ms. Marren noted that the City does not allow single-family attached units in Residential Low-Density.

2. Revise the definitions in the Zoning Ordinance to allow all single-family attached dwelling units to be occupied, as apartments, with up to five unrelated people.
3. Make no changes to the current Zoning Ordinance, thus continuing to allow a different maximum occupancy for single-family attached units that exist separately on a platted lot from multiple single-family attached units on one large lot.

Ms. Marren clarified that single-family attached and apartment units are not permitted in the RL Districts.

City Manager Schainker pointed out that if a customer came to the City asking to build four 24-plexes and a number of attached units on one lot, staff’s current interpretation would be that even in the attached units, up to five persons could occupy the dwellings.

Council Member Goodman said that he was comfortable with the existing Code.

Mr. Schainker noted that, even in the RM and RH, if the buildings were built on individual lots after subdividing the property, the occupy limit would be three unrelated.

Mr. Goodman said that he believes it is working fine now, and he cannot contemplate what the impacts would be if and when someone would come in and request to change it.

Issue 2: Adherence to Subdivision Requirements. It was noted by Planner Marren that Section 29.401(5) states “more than one single-family or two-family residential structure on the same lot

of one acre or less is prohibited.” That Code section allows, on residentially zoned lots (larger than one acre) more than one single-family and two-family structure on a single lot when developers choose not to subdivide. By allowing multiple single-family and two-family units to be constructed on one large lot (more than one acre), developments do not have to comply with the requirements of the Subdivision Code, i.e., lot and block standards, protection of natural features, landscape standards, public street standards including public sidewalks, utility requirements for water, sanitary sewer, electric and storm water management, erosion control, and also any improvement guarantees for any needed infrastructure improvements).

According to Ms. Marren, the policy question being asked by staff is if Council wanted to continue to allow multiple single-family and two-family structures on a single lot without requiring adherence to subdivision regulations. Three options were provided for Council consideration:

1. Revise the Zoning Ordinance or Subdivision Code to incorporate standards of the Subdivision Code, based on a created set of criteria, for developments that choose not to subdivide the property.

This option would allow certain regulations of the Subdivision Code, such as public streets, sidewalks, or public infrastructure to be met while allowing the developer to maintain a single lot development.

2. Revise the Zoning Ordinance to eliminate the right to construct multiple single-family or two-family structures on a single lot in a RL District.
3. Make no changes to the current Zoning ordinance and thereby continue to allow multiple single-family and two-family structures on lots of one acre or larger.

Ms. Marren advised that, if the City Council chooses to consider a specific change to some of the current zoning code standards, staff could be directed to draft the appropriate zoning text amendment(s), seek input from stakeholders, and hold a public hearing before the Planning and Zoning Commission. In that case, staff would work to bring the text amendment back to Council for adoption on first reading in late August or early September.

Council Member Goodman stated his opinion that the City needed to maintain some sort of control over what occurs on property to ensure that residential and business investors have some protection on what locates next to them.

Council Member Orazem asked how the Floating Zones fit into this issue. Planner Marren answered that, from a single-family and two-family standpoint, FSRL is very similar to RL in that single-family is allowed, but not two-family. The same large-lot development dilemma could have to be dealt with in FSRL. Ms. Marren said that FSRM also allows single-family and two-family dwellings. There could still be large-lot developments and still have multiple units on a large lot.

Moved by Goodman, seconded by Szopinski, to approve Option 1 pertaining to RL and FSRL, thus directing the City Attorney to revise the Zoning Ordinance or Subdivision Code to incorporate standards of the Subdivision Code, based on a created set of criteria, for developments that choose not to subdivide the property.

After discussion ensued as to whether each request should be handled on a case-by-case basis, Council Member Larson stated that he did not want that; he wanted the requirements to be clear.

Council Member Wacha questioned whether this should also pertain to RM zoning.

Moved by Wacha, seconded by Szopinski, to amend the motion to add RM and FSRM.  
Vote on Amendment: 6-0. Motion declared carried unanimously.

Vote on Motion, as Amended: 6-0. Motion declared carried unanimously.

**SOUTH DUFF AVENUE ACCESS STUDY:** Moved by Davis, seconded by Orazem, to grant staff the authority to conduct a traffic study of the South Duff Corridor, which would include a traffic signal warrant analysis.

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

**COUNCIL COMMENTS:** Moved by Orazem, seconded by Wacha, to direct staff to investigate whether there are successful entities in the United States who have managed to reach equitable settlements with rural water districts in a finite time.

Council Member Larson said he would rather keep the negotiations “at home.” Mr. Larson added that he believes employing outside counsel would actually lengthen the process. Mayor Campbell noted that she and Management Analyst Brian Phillips will attend a Metropolitan Planning Coalition meeting tomorrow and rural water issues will be discussed. Council Member Orazem said he believes that Xenia is just “going to wait it out” and expect extortionary amounts from the City. He sees Xenia as keeping Ames from growing. At the inquiry of Council Member Goodman, City Attorney Parks said it would not require a lot of staff time to investigate options.

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

Moved by Davis, seconded by Orazem, to refer to staff the letter from Dean Roosa and Carol Jacobs for a waiver of subdivision regulations for property located at 569 W. Riverside Road.

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

Moved by Larson, seconded by Goodman, to request a short staff report back on the City Council on the mosquito fogging process.

Council Member Davis suggested that a question be added to the Resident Satisfaction Survey as to whether residents want mosquito fogging in the parks to continue.

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

Moved by Wacha, seconded by Orazem, to refer back to staff the memo from Planner Charlie Kuester dated July 1, 2013, pertaining to a proposed text amendment for Special Use Permits in residential zones.

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

Moved by Goodman, seconded by Wacha, to refer the email from John Klaus dated July 7, 2013, to staff for comment.

Mr. Goodman clarified that, in the memo, Mr. Klaus had referenced recent discussions with Xenia rural water. He had specifically cited a section of the Iowa Constitution regarding governments assuming debts of associations or corporations.

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

**ADJOURNMENT:** Moved by Davis to adjourn the meeting at 10:05 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor



# REPORT OF CONTRACT CHANGE ORDERS

Period:	<input checked="" type="checkbox"/>	1 <sup>st</sup> – 15 <sup>th</sup>
	<input type="checkbox"/>	16 <sup>th</sup> – end of month
Month and year:	July 2013	
For City Council date:	July 23, 2013	

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
Electric Services	Valve Maintenance Services Contract	1	\$60,000.00	Allied Valve	\$0.00	\$5,000.00	D. Brown	CB
Electric Services	Power Plant Breaker Maintenance	1	\$180,500.00	Tri-City Electric Company of Iowa	\$0.00	\$(-5,000.00)	D. Brown	CB
Fleet Services	2013 Ames City Hall Renovation	1	\$770,000.00	Harold Pike Construction Co.	\$0.00	\$1,826.00	Paul H.	MA
Ames Public Library	Ames Public Library Renovation & Expansion - Abatement Work	3	\$49,569.00	Abatement Specialties, LLC	\$14,396.00	\$5,803.00	L. Carey	MA
Ames Public Library	Architectural Services	2	\$1,527,325.00	Meyer Scherer & Rockcastle, Ltd.	\$0.00	\$12,000.00	L. Carey	MA
Fleet Services	2013 Ames City Hall Renovations	2	\$770,000.00	Harold Pike Construction Co.	\$1,826.00	\$10,589.00	Paul H.	MA





# MEMO

*Caring People  
Quality Programs  
Exceptional Service*

**4a-c**

**TO:** Mayor Ann Campbell and Ames City Council Members

**FROM:** Lieutenant Jeff Brinkley – Ames Police Department

**DATE:** June 28, 2013

**SUBJECT:** Beer Permits & Liquor License Renewal Reference City Council Agenda  
July 23, 2013

The Council agenda for July 23, 2013, includes beer permits and liquor license renewals for:

- Class E Liquor, C Beer, and B Wine – AJ’s Liquor, 2515 Chamberlain St
- Class B Beer – Pizza Ranch of Ames, 1404 Boston Ave
- Class C Liquor and Outdoor Service – Olde Main Brewing Company, 316 Main St

A routine check of police records found no violations for Pizza Ranch or Olde Main Brewing Company. There was one citation written to AJ’s Liquor on a police compliance check in November 2012. AJ’s Liquor passed the follow-up compliance check.

The Police Department would recommend renewal of all these licenses.

## Staff Report

**Final Plat for Somerset Subdivision 25<sup>th</sup> Addition**

July 23, 2013

**BACKGROUND**

On March 26, 2013 City Council approved the revised Preliminary Plat/Major Site Development Plan for Somerset Village that included the development of residences on the former school property. The documents approved included only that property. (see Attachment A Location Map) A condition of this approval was that the existing approved Preliminary Plat/Major Site Development Plan for Somerset Village be revised to incorporate the Plan amendments before a Final Plat is approved for the 25<sup>th</sup> Addition.

On June 24, 2013 Final Plat documents were submitted to subdivide this property. The Final Plat substantially conforms to the approved Preliminary Plat. However, the revised Preliminary Plat/Major Site Development Plan for all of Somerset Village has not been submitted. **The Municipal Code requires the Final Plat to be forwarded to the City Council for its review within 30 days after the Applicant has filed a complete Application for Final Plat Approval if the Department finds and reports in writing that the Final Plat substantially conforms to the approved Preliminary Plat.** Therefore, that Final Plat (attached) is being forwarded to City Council. However, no action is recommended at this time.

**NEXT STEPS**

The revised Preliminary Plat/Major Site Development Plan for all of Somerset Village is now being prepared. When it is submitted and approved by staff as being consistent with the documents City Council approved in March, the Final Plat documents for Somerset Subdivision 25<sup>th</sup> Addition will be forwarded to City Council for approval.







STREET CENTERLINE CURVES

LINE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
CURVE 1	75.00'	101.42'	77°28'42"	N38°53'51"E	93.87'
CURVE 2	300.00'	167.92'	32°04'10"	N61°36'07"E	169.73'
CURVE 3	300.00'	48.63'	9°17'14"	N40°55'25"E	48.58'

LOT LINE CURVES

LINE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
C1	15.00'	22.08'	84°20'14"	N42°19'37"E	20.14'
C2	102.50'	31.75'	17°44'51"	N09°01'56"E	31.62'
C3	102.50'	60.27'	33°41'24"	N34°45'03"E	59.41'
C4	102.50'	10.01'	5°35'52"	N54°23'42"E	10.01'
C5	102.50'	36.57'	20°26'34"	N67°24'55"E	36.38'
C6	272.50'	48.26'	10°08'50"	N72°33'47"E	48.20'
C7	272.50'	104.26'	21°55'20"	N56°31'42"E	103.63'
C8	272.50'	44.17'	9°17'14"	N40°55'25"E	44.12'
C9	327.50'	40.92'	7°09'31"	S39°51'33"W	40.89'
C10	327.50'	12.17'	2°07'43"	S44°30'10"W	12.17'
C11	327.50'	15.16'	2°39'07"	S46°53'36"W	15.16'
C12	327.50'	103.57'	18°07'10"	S57°16'44"W	103.14'
C13	327.50'	64.58'	11°17'53"	S71°59'16"W	64.47'
C14	47.50'	64.23'	77°28'42"	S38°53'51"W	59.45'
C15	15.00'	27.28'	104°04'26"	S51°52'43"E	23.85'
C16	457.50'	26.52'	3°19'18"	N67°31'05"E	26.51'
C17	457.50'	140.84'	17°38'17"	N57°02'18"E	140.28'
C18	457.50'	162.01'	20°17'24"	N55°42'44"E	161.17'
C19	457.50'	21.18'	2°39'07"	N46°53'36"E	21.17'
C20	457.50'	74.16'	9°17'14"	N40°55'25"E	74.08'
C21	457.50'	17.00'	2°07'43"	N44°30'10"E	17.00'
C22	457.50'	57.16'	7°09'31"	N39°51'33"E	57.12'

NOTE:  
 1. SOIL BORINGS ARE REQUIRED IN AREAS WITHIN THIS PLAT WHICH HAVE BEEN IDENTIFIED BY THE CITY OF AMES AS HAVING SOILS THAT MAKE CONSTRUCTION OF BUILDINGS DIFFICULT.  
 2. LOT A WILL BE DEDICATED TO THE CITY OF AMES FOR PUBLIC RIGHT OF WAY.

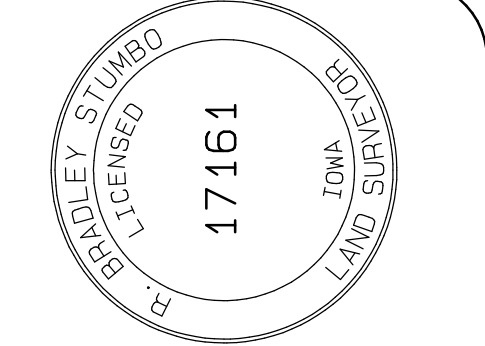
OWNER/DEVELOPER:  
 HEARTLAND DEVELOPMENT, LLC  
 619 E. LINCOLN WAY  
 AMES, IA 50010

LEGEND

- PROPERTY BOUNDARY
- SECTION LINE
- STREET CENTERLINE
- RIGHT OF WAY LINE
- EASEMENT LINE
- BUILDING SETBACK LINE
- SECTION CORNER FOUND OR SET AS NOTED
- FOUND 3/4" PIPE W/ YELLOW CAP #3169
- FOUND 3/4" PIPE W/ ORANGE CAP #12971
- SET 1/2" REBAR W/ YELLOW CAP #17161

GRAPHIC SCALE 1"=40'

SURVEY DESCRIPTION - SOMERSET SUBDIVISION TWENTY-FIFTH ADDITION:  
 A subdivision of Lots 1 and 2 in Somerset Subdivision, First Addition to the City of Ames, Story County, Iowa, as recorded at Inst. No. 97-10687, containing 11.15 acres.



Certification: I hereby certify that this land surveying document was prepared by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Bradley Stumbo License #17161 Date: \_\_\_\_\_  
 My license renewal date is December 31, 2013.

FINAL PLAT  
 SOMERSET SUBDIVISION  
 TWENTY-FIFTH ADDITION

A SUBDIVISION OF LOTS 1 AND 2, SOMERSET SUBDIVISION CITY OF AMES, STORY COUNTY, IOWA

JOB #16516 DATE: 7/02/13 PAGE: 1 of 1


STUMBO & ASSOCIATES  
 LAND SURVEYING

510 S. 17TH STREET, SUITE 102 AMES, IOWA 50010  
 PHONE 515-233-3684 FAX 515-233-4403



City Treasurer

P. O. Box 811  
515 Clark Avenue  
Ames, Iowa 50010  
515-239-5119  
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**TO:** Mayor and City Council  
**FROM:** Roger Wisecup, CPA   
City Treasurer  
**DATE:** July 10, 2013  
**SUBJECT:** Investment Report for Fiscal Year Ending June 30, 2013

Introduction

The purpose of this memorandum is to present a report summarizing the performance of the City of Ames investment portfolio for the fiscal year ending June 30, 2013.

Discussion

This report covers the period ending June 30, 2013 and presents a summary of the investments on hand at the end of June 2013. The investments are valued at amortized cost; this reflects the same basis that the assets are carried on the financial records of the City. All investments are in compliance with the current Investment Policy.

Comments

The Federal Reserve has continued to maintain its target rate for federal funds at zero to 0.25 percent. While the yield curve has a normal shape, rates are at historic lows. This means that future investments will be made at lower rates and future interest income may decrease. The current outlook has the Federal Reserve maintaining the target rate further into 2013 and beyond. Therefore, we will maintain our investment strategy, extending some investments maturities to the twelve months and longer range.

A brief comparison of fiscal year 2012 to fiscal year 2013 follows:

	<u>FY12</u>	<u>FY13</u>	<u>Decrease</u>
Interest Income	\$789,345	\$750,365	\$38,980
Portfolio Effective Rate of Return	0.76%	0.60%	

CITY OF AMES, IOWA

CASH AND INVESTMENTS SUMMARY  
AND SUMMARY OF INVESTMENT EARNINGS

FOR THE FISCAL YEAR ENDED JUNE 30, 2013  
AND THE ACCUMULATED YEAR-TO-DATE

DESCRIPTION	BOOK VALUE	MARKET VALUE	UN-REALIZED GAIN/(LOSS)
CERTIFICATES OF DEPOSIT	18,500,000	18,500,000	0
FEDERAL AGENCY DISCOUNTS	1,946,960	1,899,860	(47,100)
FEDERAL AGENCY SECURITIES	71,452,862	70,855,843	(597,019)
INVESTMENT POOLS			0
COMMERCIAL PAPER	7,991,281	7,990,120	(1,161)
PASS THRU SECURITIES PAC/CMO	64,661	66,022	1,360
MONEY FUND SAVINGS ACCOUNTS	23,323,580	23,323,580	0
CORPORATE BONDS			0
US TREASURY SECURITIES			0
INVESTMENTS	123,279,344	122,635,425	(643,920)
CASH ACCOUNTS	23,321,103	23,321,103	
TOTAL FUNDS AVAILABLE	146,600,448	145,956,528	(643,920)

ACCURAL BASIS INVESTMENT EARNINGS	YR-TO-DATE
GROSS EARNINGS ON INVESTMENTS:	715,597
INTEREST EARNED ON CASH:	34,768
TOTAL INTEREST EARNED:	750,365



**Investments FY 2012-2013  
Portfolio Management  
Portfolio Summary  
June 30, 2013**

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Certificates of Deposit	18,500,000.00	18,500,000.00	18,500,000.00	15.01	849	404	0.813	0.824
Money Market	15,302,918.13	15,302,918.13	15,302,918.13	12.41	1	1	0.362	0.367
Passbook/Checking Accounts	8,020,662.33	8,020,662.33	8,020,662.33	6.51	1	1	0.247	0.250
Commercial Paper Disc. -Amortizing	8,000,000.00	7,990,120.00	7,991,280.56	6.48	165	133	0.294	0.298
Federal Agency Coupon Securities	70,989,000.00	70,855,842.79	71,452,862.12	57.96	1,279	1,051	0.665	0.674
Federal Agency Disc. -Amortizing	2,000,000.00	1,899,860.00	1,946,960.00	1.58	1,513	1,431	0.641	0.650
Pass Through Securities /PAC/CMO	62,315.08	66,021.67	64,661.32	0.05	1,692	304	2.220	2.251
<b>Investments</b>	<b>122,874,895.54</b>	<b>122,635,424.92</b>	<b>123,279,344.46</b>	<b>100.00%</b>	<b>904</b>	<b>702</b>	<b>0.599</b>	<b>0.607</b>

Total Earnings	June 30 Month Ending	Fiscal Year To Date	Fiscal Year Ending
Current Year	59,075.14	715,596.56	715,596.56
<b>Average Daily Balance</b>	<b>126,300,635.29</b>		
<b>Effective Rate of Return</b>	<b>0.57%</b>		

**US TREASURY CONSTANT MATURITY RATES  
PERIOD ENDING JUNE 30, 2013  
3 YEAR COMPARISON**

I certify that these reports are in conformance with the Iowa Public Investment Act.

*Roger J. Wisecup II, CPA*      7-10-13  
 Roger J Wisecup II, City Treasurer

	June 30, 2013	June 30, 2012	June 30, 2011
3 Months	0.04%	0.09%	0.03%
6 Months	0.10%	0.16%	0.10%
1 Year	0.15%	0.21%	0.19%
2 Years	0.36%	0.33%	0.45%
3 Years	0.66%	0.41%	0.81%
5 Years	1.41%	0.72%	1.76%

Reporting period 06/01/2013-06/30/2013

Run Date: 07/11/2013 - 10:35

Portfolio 2013  
AC  
PM (PRF\_PM1) 7.2.5  
Report Ver. 7.3.1

**Investments FY 2012-2013**  
**Portfolio Management**  
**Portfolio Details - Investments**  
**June 30, 2013**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
<b>Certificates of Deposit</b>												
144241696	144241696	Great Western Bank		10/01/2012	2,000,000.00	2,000,000.00	2,000,000.00	0.360	0.355	0.360	81	09/20/2013
144241702	144241702	Great Western Bank		10/01/2012	2,000,000.00	2,000,000.00	2,000,000.00	0.360	0.355	0.360	172	12/20/2013
144241705	144241705	Great Western Bank		10/01/2012	2,000,000.00	2,000,000.00	2,000,000.00	0.510	0.503	0.510	354	06/20/2014
144241707	144241707	Great Western Bank		10/01/2012	3,500,000.00	3,500,000.00	3,500,000.00	0.710	0.700	0.710	457	10/01/2014
SYS7809399202	7809399202	Wells Fargo		10/14/2011	4,500,000.00	4,500,000.00	4,500,000.00	1.064	1.049	1.064	335	06/01/2014
SYS7809399210	7809399210	Wells Fargo		10/14/2011	4,500,000.00	4,500,000.00	4,500,000.00	1.226	1.209	1.226	700	06/01/2015
<b>Subtotal and Average</b>			<b>18,500,000.00</b>		<b>18,500,000.00</b>	<b>18,500,000.00</b>	<b>18,500,000.00</b>	<b>0.813</b>	<b>0.824</b>	<b>0.813</b>	<b>404</b>	
<b>Money Market</b>												
12224067	12224067	Great Western Bank		05/30/2013	6,001,380.82	6,001,380.82	6,001,380.82	0.300	0.296	0.300	1	
SYS4531558874A	4531558874A	Great Western Bank			4,101,907.74	4,101,907.74	4,101,907.74	0.550	0.542	0.550	1	
SYS4531558874B	4531558874B	Great Western Bank			5,199,629.57	5,199,629.57	5,199,629.57	0.300	0.296	0.300	1	
<b>Subtotal and Average</b>			<b>15,298,708.50</b>		<b>15,302,918.13</b>	<b>15,302,918.13</b>	<b>15,302,918.13</b>	<b>0.362</b>	<b>0.367</b>	<b>0.362</b>	<b>1</b>	
<b>Passbook/Checking Accounts</b>												
SYS6952311634A	6952311634A	Wells Fargo			4,010,514.12	4,010,514.12	4,010,514.12	0.250	0.247	0.250	1	
SYS6952311634B	6952311634B	Wells Fargo			4,010,148.21	4,010,148.21	4,010,148.21	0.250	0.247	0.250	1	
<b>Subtotal and Average</b>			<b>8,019,365.97</b>		<b>8,020,662.33</b>	<b>8,020,662.33</b>	<b>8,020,662.33</b>	<b>0.247</b>	<b>0.250</b>	<b>0.247</b>	<b>1</b>	
<b>Commercial Paper Disc. -Amortizing</b>												
0347M2YF7	0639-13	Angelsea		05/30/2013	3,000,000.00	2,995,620.00	2,995,433.34	0.400	0.401	0.406	137	11/15/2013
4497W0Y85	0638-13	ING Commercial Paper		05/30/2013	5,000,000.00	4,994,500.00	4,995,847.22	0.230	0.230	0.233	130	11/08/2013
<b>Subtotal and Average</b>			<b>9,990,223.20</b>		<b>8,000,000.00</b>	<b>7,990,120.00</b>	<b>7,991,280.56</b>	<b>0.294</b>	<b>0.298</b>	<b>0.298</b>	<b>133</b>	
<b>Federal Agency Coupon Securities</b>												
3133EAJY5	0592-12	Federal Farm Credit		03/30/2012	1,000,000.00	1,000,470.00	1,000,023.20	0.330	0.316	0.321	91	09/30/2013
3133EAWY0	0599-12	Federal Farm Credit		07/10/2012	1,000,000.00	989,700.00	1,000,000.00	1.040	1.026	1.040	1,470	07/10/2017
3133EAKZ7	0600-12	Federal Farm Credit		07/25/2012	1,500,000.00	1,478,835.00	1,500,000.00	0.970	0.957	0.970	1,484	07/24/2017
3133EA3H9	0609-12	Federal Farm Credit		10/11/2012	1,000,000.00	993,200.00	1,000,000.00	0.470	0.464	0.470	924	01/11/2016
3133EA4G0	0610-12	Federal Farm Credit		10/11/2012	1,000,000.00	982,600.00	1,000,000.00	0.700	0.690	0.700	1,380	04/11/2017
3133EA4H8	0614-12	Federal Farm Credit		10/19/2012	1,500,000.00	1,478,535.00	1,500,000.00	0.820	0.809	0.820	1,471	07/11/2017
3133EA4H8	0617-12	Federal Farm Credit		11/16/2012	890,000.00	877,264.10	890,000.00	0.820	0.809	0.820	1,471	07/11/2017
3133EC2L7	0618-12A	Federal Farm Credit		11/20/2012	1,500,000.00	1,499,790.00	1,500,000.00	0.440	0.434	0.440	865	11/13/2015
3133EC2L7	0618-12B	Federal Farm Credit		11/20/2012	1,000,000.00	999,860.00	1,000,000.00	0.440	0.434	0.440	865	11/13/2015
3133ECAS3	0621-12	Federal Farm Credit		12/31/2012	1,000,000.00	990,760.00	999,577.59	0.450	0.459	0.466	994	03/21/2016

**Investments FY 2012-2013**  
**Portfolio Management**  
**Portfolio Details - Investments**  
**June 30, 2013**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
<b>Federal Agency Coupon Securities</b>												
3133EC3B8	0631-13	Federal Farm Credit		04/15/2013	1,299,000.00	1,287,555.81	1,299,000.00	0.520	0.513	0.520	1,053	05/19/2016
3133ECQT4	0636-13	Federal Farm Credit		05/30/2013	2,000,000.00	1,953,520.00	2,000,000.00	0.750	0.740	0.750	1,429	05/30/2017
3133ECQF4	0637-13	Federal Farm Credit		05/28/2013	1,000,000.00	996,580.00	1,000,181.29	0.250	0.237	0.240	696	05/28/2015
31331SYW7	0642-13	Federal Farm Credit		05/30/2013	2,000,000.00	2,150,100.00	2,158,086.08	4.450	0.306	0.310	700	06/01/2015
313373EE8	0530-11	Federal Home Loan Bank		04/15/2011	3,500,000.00	3,538,955.00	3,501,402.27	1.420	1.356	1.375	333	05/30/2014
313372TV6	0593-12A	Federal Home Loan Bank		04/02/2012	500,000.00	500,945.00	500,737.21	1.100	0.313	0.317	70	09/09/2013
313372TV6	0593-12B	Federal Home Loan Bank		04/02/2012	1,000,000.00	1,001,890.00	1,001,474.43	1.100	0.313	0.317	70	09/09/2013
3133792M0	0594-12	Federal Home Loan Bank		04/17/2012	3,500,000.00	3,508,925.00	3,500,000.00	0.540	0.533	0.540	669	05/01/2015
313380Z26	0613-12A	Federal Home Loan Bank		10/24/2012	1,500,000.00	1,488,675.00	1,500,000.00	0.625	0.616	0.625	1,211	10/24/2016
313380Z26	0613-12B	Federal Home Loan Bank		10/24/2012	1,000,000.00	992,450.00	1,000,000.00	0.625	0.616	0.625	1,211	10/24/2016
313381AN5	0615-12	Federal Home Loan Bank		11/23/2012	1,500,000.00	1,479,810.00	1,500,000.00	0.800	0.789	0.800	1,422	05/23/2017
313381UR4	0627-13	Federal Home Loan Bank		04/05/2013	1,500,000.00	1,499,800.63	1,501,015.63	0.375	0.370	0.375	759	07/30/2015
313382MC4	0628-13	Federal Home Loan Bank		04/15/2013	1,500,000.00	1,491,135.00	1,500,000.00	0.500	0.493	0.500	1,019	04/15/2016
313382TL7	0633-13	Federal Home Loan Bank		05/02/2013	2,250,000.00	2,233,800.00	2,250,425.42	0.500	0.487	0.493	1,036	05/02/2016
313379ER6	0640-13	Federal Home Loan Bank		05/30/2013	1,550,000.00	1,551,193.50	1,555,566.34	0.500	0.311	0.315	711	06/12/2015
313371PC4	0641-13	Federal Home Loan Bank		05/30/2013	1,500,000.00	1,511,145.00	1,513,308.15	0.875	0.257	0.260	529	12/12/2014
3134G3NA4	0581-12	Federal Home Loan Mortgage Co.		02/28/2012	1,500,000.00	1,504,725.00	1,500,000.00	0.750	1.295	1.313	1,338	02/28/2017
3137EACL1	0590-12	Federal Home Loan Mortgage Co.		03/30/2012	1,000,000.00	1,002,390.00	1,001,829.15	0.875	0.306	0.310	119	10/28/2013
3134G23H3	0591-12	Federal Home Loan Mortgage Co.		03/30/2012	1,000,000.00	1,001,040.00	1,000,517.19	0.500	0.316	0.320	106	10/15/2013
3134G3M23	0607-12	Federal Home Loan Mortgage Co.		09/28/2012	1,000,000.00	985,990.00	1,000,000.00	1.020	1.006	1.020	1,550	09/28/2017
3137EACT4	0612-12	Federal Home Loan Mortgage Co.		10/17/2012	4,500,000.00	4,724,595.00	4,757,472.90	2.500	0.503	0.510	1,061	05/27/2016
3134G33R9	0626-13	Federal Home Loan Mortgage Co.		03/20/2013	1,500,000.00	1,492,308.75	1,501,218.75	0.450	0.444	0.450	928	01/15/2016
3135G0KM4	0611-12	Federal Nat'l Mtg. Assoc.		10/17/2012	3,500,000.00	3,504,655.00	3,508,607.84	0.500	0.365	0.370	695	05/27/2015
3136G05X5	0616-12	Federal Nat'l Mtg. Assoc.		11/30/2012	2,000,000.00	1,973,160.00	2,000,000.00	0.750	0.740	0.750	1,429	05/30/2017
3136G07M7	0619-12	Federal Nat'l Mtg. Assoc.		11/27/2012	1,500,000.00	1,460,595.00	1,500,000.00	0.900	0.888	0.900	1,610	11/27/2017
3135G0TD5	0620-12A	Federal Nat'l Mtg. Assoc.		12/31/2012	1,500,000.00	1,463,820.00	1,500,000.00	1.000	0.986	1.000	1,641	12/28/2017
3135G0TD5	0620-12B	Federal Nat'l Mtg. Assoc.		12/31/2012	1,000,000.00	975,880.00	1,000,000.00	1.000	0.986	1.000	1,641	12/28/2017
3136G0VP3	0624-13	Federal Nat'l Mtg. Assoc.		02/28/2013	1,000,000.00	996,197.22	1,000,508.59	0.500	1.246	1.263	1,331	02/21/2017
3136G1BZ1	0625-13	Federal Nat'l Mtg. Assoc.		03/08/2013	1,000,000.00	978,537.78	1,000,059.85	0.500	1.158	1.174	1,674	01/30/2018
3136G1BU2	0629-13	Federal Nat'l Mtg. Assoc.		04/05/2013	2,000,000.00	1,962,480.00	2,002,369.30	0.850	0.811	0.822	1,582	10/30/2017
3136G1E96	0632-13	Federal Nat'l Mtg. Assoc.		04/15/2013	3,000,000.00	2,974,335.00	3,009,480.94	0.900	0.893	0.906	1,425	05/26/2017
3136G1KG3	0634-13	Federal Nat'l Mtg. Assoc.		05/08/2013	3,000,000.00	2,933,790.00	3,000,000.00	0.750	0.740	0.750	1,407	05/08/2017
3135G0WU3	0635-13A	Federal Nat'l Mtg. Assoc.		05/15/2013	1,500,000.00	1,466,310.00	1,500,000.00	0.750	0.740	0.750	1,414	05/15/2017
3135G0WU3	0635-13B	Federal Nat'l Mtg. Assoc.		05/15/2013	1,000,000.00	977,540.00	1,000,000.00	0.750	0.740	0.750	1,414	05/15/2017
<b>Subtotal and Average</b>			<b>72,468,398.25</b>		<b>70,989,000.00</b>	<b>70,855,842.79</b>	<b>71,452,862.12</b>		<b>0.665</b>	<b>0.674</b>	<b>1,051</b>	

**Investments FY 2012-2013  
Portfolio Management  
Portfolio Details - Investments  
June 30, 2013**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
<b>Federal Agency Disc. -Amortizing</b>												
31359MEL3	0630-13	Federal Nat'l Mtg. Assoc.		04/10/2013	2,000,000.00	1,899,860.00	1,946,960.00	0.631	0.641	0.650	1,431	06/01/2017
<b>Subtotal and Average</b>			<b>1,946,960.00</b>		<b>2,000,000.00</b>	<b>1,899,860.00</b>	<b>1,946,960.00</b>		<b>0.641</b>	<b>0.650</b>	<b>1,431</b>	
<b>Pass Through Securities /PAC/CMO</b>												
31371LB99	0442-09	Federal Nat'l Mtg. Assoc.		02/18/2009	1,124.70	1,194.44	1,161.25	4.500	2.576	2.612	31	08/01/2013
31371LGW3	0454-09	Federal Nat'l Mtg. Assoc.		06/16/2009	7,678.49	8,186.27	7,983.23	5.000	2.742	2.780	123	11/01/2013
31371LMX4	0458-09	Federal Nat'l Mtg. Assoc.		09/18/2009	28,979.69	30,637.04	29,957.75	4.000	2.109	2.138	243	03/01/2014
31371LWK1	0465-09	Federal Nat'l Mtg. Assoc.		10/08/2009	14,257.79	15,141.92	14,899.39	4.500	2.252	2.284	457	10/01/2014
31371LVX4	0466-09	Federal Nat'l Mtg. Assoc.		10/19/2009	10,274.41	10,862.00	10,659.70	4.000	2.056	2.084	427	09/01/2014
<b>Subtotal and Average</b>			<b>76,979.38</b>		<b>62,315.08</b>	<b>66,021.67</b>	<b>64,661.32</b>		<b>2.220</b>	<b>2.251</b>	<b>304</b>	
<b>Total and Average</b>			<b>126,300,635.29</b>		<b>122,874,895.54</b>	<b>122,635,424.92</b>	<b>123,279,344.46</b>		<b>0.599</b>	<b>0.607</b>	<b>702</b>	



**Investments FY 2012-2013  
Portfolio Management  
Portfolio Details - Cash  
June 30, 2013**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity
Average Balance			0.00								0
Total Cash and Investments			126,300,635.29		122,874,895.54	122,635,424.92	123,279,344.46		0.599	0.607	702

**Investments FY 2012-2013  
Portfolio Management  
Investment Status Report - Investments  
June 30, 2013**

CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	YTM 360	YTM 365	Payment Dates	Accrued Interest At Purchase	Current Principal	Book Value
<b>Certificates of Deposit</b>												
144241696	144241696	GWB	2,000,000.00	0.360	09/20/2013	10/01/2012	0.355	0.360	09/20 - At Maturity		2,000,000.00	2,000,000.00
144241702	144241702	GWB	2,000,000.00	0.360	12/20/2013	10/01/2012	0.355	0.360	12/20 - At Maturity		2,000,000.00	2,000,000.00
144241705	144241705	GWB	2,000,000.00	0.510	06/20/2014	10/01/2012	0.503	0.510	06/20 - At Maturity		2,000,000.00	2,000,000.00
144241707	144241707	GWB	3,500,000.00	0.710	10/01/2014	10/01/2012	0.700	0.710	10/01 - At Maturity		3,500,000.00	3,500,000.00
SYS7809399202	7809399202	WF	4,500,000.00	1.064	06/01/2014	10/14/2011	1.049	1.064	06/01 - At Maturity		4,500,000.00	4,500,000.00
SYS7809399210	7809399210	WF	4,500,000.00	1.226	06/01/2015	10/14/2011	1.209	1.226	06/01 - At Maturity		4,500,000.00	4,500,000.00
<b>Certificates of Deposit Totals</b>			<b>18,500,000.00</b>				<b>0.813</b>	<b>0.824</b>		<b>0.00</b>	<b>18,500,000.00</b>	<b>18,500,000.00</b>
<b>Money Market</b>												
12224067	12224067	GWB	6,001,380.82	0.300		05/30/2013	0.296	0.300	06/01 - Monthly		6,001,380.82	6,001,380.82
SYS4531558874A	4531558874A	GWB	4,101,907.74	0.550			0.542	0.550	07/01 - Monthly		4,101,907.74	4,101,907.74
SYS4531558874B	4531558874B	GWB	5,199,629.57	0.300			0.296	0.300	07/01 - Monthly		5,199,629.57	5,199,629.57
<b>Money Market Totals</b>			<b>15,302,918.13</b>				<b>0.362</b>	<b>0.367</b>		<b>0.00</b>	<b>15,302,918.13</b>	<b>15,302,918.13</b>
<b>Passbook/Checking Accounts</b>												
SYS6952311634A	6952311634A	WF	4,010,514.12	0.250			0.247	0.250	10/31 - Monthly		4,010,514.12	4,010,514.12
SYS6952311634B	6952311634B	WF	4,010,148.21	0.250			0.247	0.250	10/31 - Monthly		4,010,148.21	4,010,148.21
<b>Passbook/Checking Accounts Totals</b>			<b>8,020,662.33</b>				<b>0.247</b>	<b>0.250</b>		<b>0.00</b>	<b>8,020,662.33</b>	<b>8,020,662.33</b>
<b>Commercial Paper Disc. -Amortizing</b>												
0347M2YF7	0639-13	ANGLES	3,000,000.00	0.400	11/15/2013	05/30/2013	0.401	0.406	11/15 - At Maturity		2,994,366.67	2,995,433.34
4497W0Y85	0638-13	ING	5,000,000.00	0.230	11/08/2013	05/30/2013	0.230	0.233	11/08 - At Maturity		4,994,825.00	4,995,847.22
<b>Commercial Paper Disc. -Amortizing Totals</b>			<b>8,000,000.00</b>				<b>0.294</b>	<b>0.298</b>		<b>0.00</b>	<b>7,989,191.67</b>	<b>7,991,280.56</b>
<b>Federal Agency Coupon Securities</b>												
3133EAJY5	0592-12	FFCB	1,000,000.00	0.330	09/30/2013	03/30/2012	0.316	0.321	09/30 - 03/30		1,000,140.78	1,000,023.20
3133EAWY0	0599-12	FFCB	1,000,000.00	1.040	07/10/2017	07/10/2012	1.026	1.040	01/10 - 07/10		1,000,000.00	1,000,000.00
3133EAZK7	0600-12	FFCB	1,500,000.00	0.970	07/24/2017	07/25/2012	0.957	0.970	01/24 - 07/24	Received	1,500,000.00	1,500,000.00
3133EA3H9	0609-12	FFCB	1,000,000.00	0.470	01/11/2016	10/11/2012	0.464	0.470	01/11 - 07/11		1,000,000.00	1,000,000.00
3133EA4G0	0610-12	FFCB	1,000,000.00	0.700	04/11/2017	10/11/2012	0.690	0.700	04/11 - 10/11		1,000,000.00	1,000,000.00
3133EA4H8	0614-12	FFCB	1,500,000.00	0.820	07/11/2017	10/19/2012	0.809	0.820	01/11 - 07/11	Received	1,500,000.00	1,500,000.00
3133EA4H8	0617-12	FFCB	890,000.00	0.820	07/11/2017	11/16/2012	0.809	0.820	01/11 - 07/11	Received	890,000.00	890,000.00
3133EC2L7	0618-12A	FFCB	1,500,000.00	0.440	11/13/2015	11/20/2012	0.434	0.440	05/13 - 11/13	Received	1,500,000.00	1,500,000.00
3133EC2L7	0618-12B	FFCB	1,000,000.00	0.440	11/13/2015	11/20/2012	0.434	0.440	05/13 - 11/13	Received	1,000,000.00	1,000,000.00

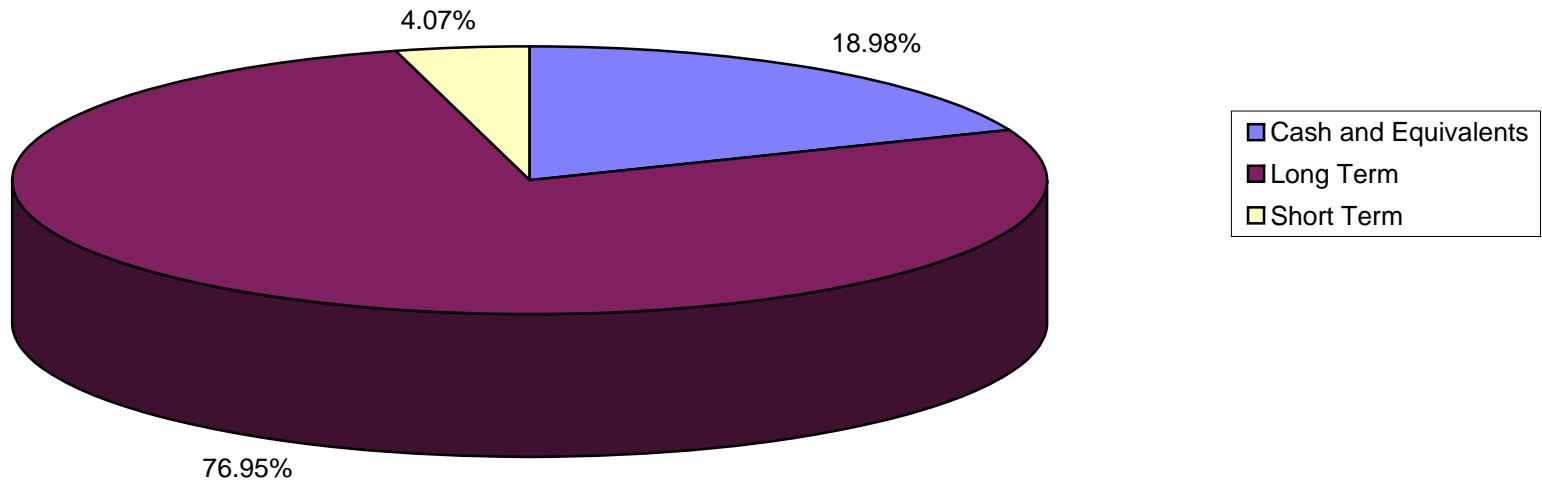
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CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	YTM 360	YTM 365	Payment Dates	Accrued Interest At Purchase	Current Principal	Book Value
<b>Federal Agency Coupon Securities</b>												
3133ECAS3	0621-12	FFCB	1,000,000.00	0.450	03/21/2016	12/31/2012	0.459	0.466	03/21 - 09/21	Received	999,500.00	999,577.59
3133EC3B8	0631-13	FFCB	1,299,000.00	0.520	05/19/2016	04/15/2013	0.513	0.520	05/19 - 11/19	Received	1,299,000.00	1,299,000.00
3133ECQT4	0636-13	FFCB	2,000,000.00	0.750	05/30/2017	05/30/2013	0.740	0.750	11/30 - 05/30		2,000,000.00	2,000,000.00
3133ECQF4	0637-13	FFCB	1,000,000.00	0.250	05/28/2015	05/28/2013	0.237	0.240	11/28 - 05/28		1,000,190.00	1,000,181.29
31331SYW7	0642-13	FFCB	2,000,000.00	4.450	06/01/2015	05/30/2013	0.306	0.310	06/01 - 12/01	Received	2,165,188.50	2,158,086.08
313373EE8	0530-11	FHLB	3,500,000.00	1.420	05/30/2014	04/15/2011	1.356	1.375	05/30 - 11/30	Received	3,504,795.00	3,501,402.27
313372TV6	0593-12A	FHLB	500,000.00	1.100	09/09/2013	04/02/2012	0.313	0.317	09/09 - 03/09	Received	505,605.00	500,737.21
313372TV6	0593-12B	FHLB	1,000,000.00	1.100	09/09/2013	04/02/2012	0.313	0.317	09/09 - 03/09	Received	1,011,210.00	1,001,474.43
3133792M0	0594-12	FHLB	3,500,000.00	0.540	05/01/2015	04/17/2012	0.533	0.540	05/01 - 11/01		3,500,000.00	3,500,000.00
313380Z26	0613-12A	FHLB	1,500,000.00	0.625	10/24/2016	10/24/2012	0.616	0.625	04/24 - 10/24		1,500,000.00	1,500,000.00
313380Z26	0613-12B	FHLB	1,000,000.00	0.625	10/24/2016	10/24/2012	0.616	0.625	04/24 - 10/24		1,000,000.00	1,000,000.00
313381AN5	0615-12	FHLB	1,500,000.00	0.800	05/23/2017	11/23/2012	0.789	0.800	05/23 - 11/23		1,500,000.00	1,500,000.00
313381UR4	0627-13	FHLB	1,500,000.00	0.375	07/30/2015	04/05/2013	0.370	0.375	07/30 - 01/30	1,015.63	1,500,000.00	1,501,015.63
313382MC4	0628-13	FHLB	1,500,000.00	0.500	04/15/2016	04/15/2013	0.493	0.500	10/15 - 04/15		1,500,000.00	1,500,000.00
313382TL7	0633-13	FHLB	2,250,000.00	0.500	05/02/2016	05/02/2013	0.487	0.493	11/02 - 05/02		2,250,450.00	2,250,425.42
313379ER6	0640-13	FHLB	1,550,000.00	0.500	06/12/2015	05/30/2013	0.311	0.315	06/12 - 12/12	Received	1,555,812.50	1,555,566.34
313371PC4	0641-13	FHLB	1,500,000.00	0.875	12/12/2014	05/30/2013	0.257	0.260	06/12 - 12/12	Received	1,514,100.00	1,513,308.15
3134G3NA4	0581-12	FHLMC	1,500,000.00	0.750	02/28/2017	02/28/2012	1.295	1.313	08/28 - 02/28		1,500,000.00	1,500,000.00
3137EACL1	0590-12	FHLMC	1,000,000.00	0.875	10/28/2013	03/30/2012	0.306	0.310	04/28 - 10/28	Received	1,008,880.00	1,001,829.15
3134G23H3	0591-12	FHLMC	1,000,000.00	0.500	10/15/2013	03/30/2012	0.316	0.320	04/15 - 10/15	Received	1,002,760.00	1,000,517.19
3134G3M23	0607-12	FHLMC	1,000,000.00	1.020	09/28/2017	09/28/2012	1.006	1.020	03/28 - 09/28		1,000,000.00	1,000,000.00
3137EACT4	0612-12	FHLMC	4,500,000.00	2.500	05/27/2016	10/17/2012	0.503	0.510	11/27 - 05/27	Received	4,819,995.00	4,757,472.90
3134G33R9	0626-13	FHLMC	1,500,000.00	0.450	01/15/2016	03/20/2013	0.444	0.450	07/15 - 01/15	1,218.75	1,500,000.00	1,501,218.75
3135G0KM4	0611-12	FNMA	3,500,000.00	0.500	05/27/2015	10/17/2012	0.365	0.370	11/27 - 05/27	Received	3,511,795.00	3,508,607.84
3136G05X5	0616-12	FNMA	2,000,000.00	0.750	05/30/2017	11/30/2012	0.740	0.750	05/30 - 11/30		2,000,000.00	2,000,000.00
3136G07M7	0619-12	FNMA	1,500,000.00	0.900	11/27/2017	11/27/2012	0.888	0.900	05/27 - 11/27		1,500,000.00	1,500,000.00
3135G0TD5	0620-12A	FNMA	1,500,000.00	1.000	12/28/2017	12/31/2012	0.986	1.000	06/28 - 12/28		1,500,000.00	1,500,000.00
3135G0TD5	0620-12B	FNMA	1,000,000.00	1.000	12/28/2017	12/31/2012	0.986	1.000	06/28 - 12/28		1,000,000.00	1,000,000.00
3136G0VP3	0624-13	FNMA	1,000,000.00	0.500	02/21/2017	02/28/2013	1.246	1.263	08/21 - 02/21	97.22	1,000,450.00	1,000,508.59
3136G1BZ1	0625-13	FNMA	1,000,000.00	0.500	01/30/2018	03/08/2013	1.158	1.174	07/30 - 01/30	527.78	999,500.00	1,000,059.85
3136G1BU2	0629-13	FNMA	2,000,000.00	0.850	10/30/2017	04/05/2013	0.811	0.822	04/30 - Quarterly	Received	2,002,500.00	2,002,369.30
3136G1E96	0632-13	FNMA	3,000,000.00	0.900	05/26/2017	04/15/2013	0.893	0.906	08/26 - 02/26	3,675.00	3,006,120.00	3,009,480.94
3136G1KG3	0634-13	FNMA	3,000,000.00	0.750	05/08/2017	05/08/2013	0.740	0.750	11/08 - 05/08		3,000,000.00	3,000,000.00
3135G0WU3	0635-13A	FNMA	1,500,000.00	0.750	05/15/2017	05/15/2013	0.740	0.750	11/15 - 05/15		1,500,000.00	1,500,000.00
3135G0WU3	0635-13B	FNMA	1,000,000.00	0.750	05/15/2017	05/15/2013	0.740	0.750	11/15 - 05/15		1,000,000.00	1,000,000.00

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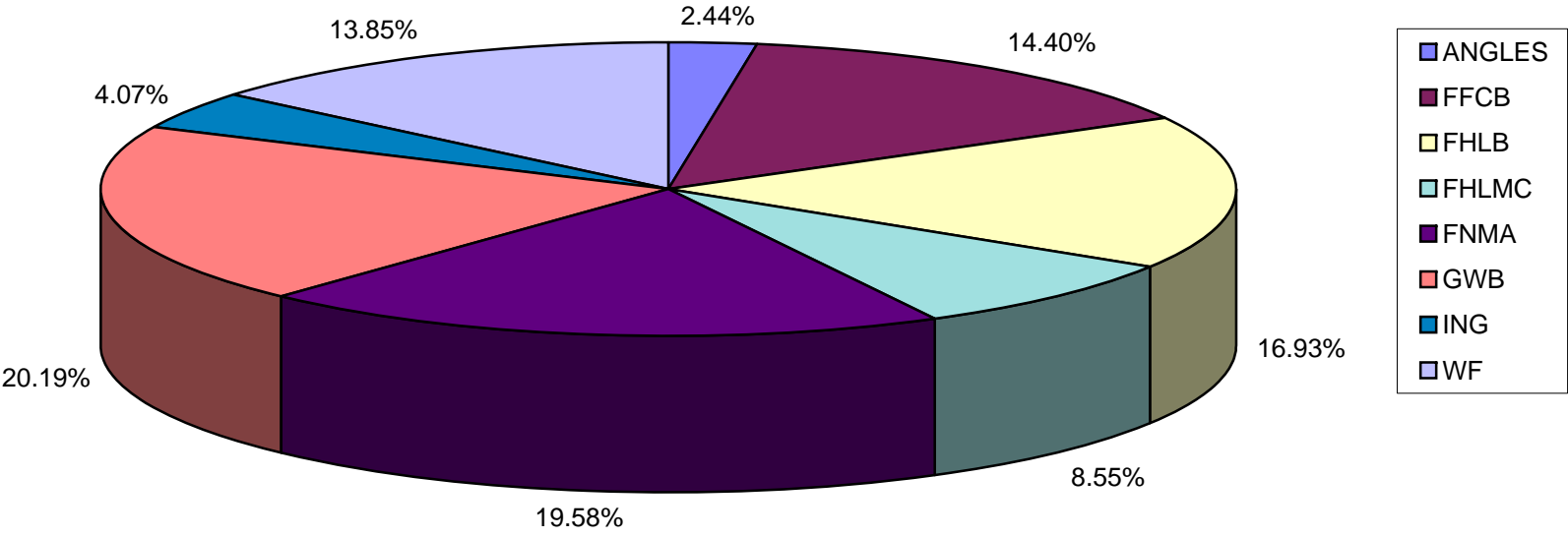
CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	YTM 360	YTM 365	Payment Dates	Accrued Interest At Purchase	Current Principal	Book Value
<b>Federal Agency Coupon Securities Totals</b>			<b>70,989,000.00</b>				<b>0.665</b>	<b>0.674</b>		<b>6,534.38</b>	<b>71,547,991.78</b>	<b>71,452,862.12</b>
<b>Federal Agency Disc. -Amortizing</b>												
31359MEL3	0630-13	FNMA	2,000,000.00	0.631	06/01/2017	04/10/2013	0.641	0.650	/ - Final Pmt.		1,946,960.00	1,946,960.00
<b>Federal Agency Disc. -Amortizing Totals</b>			<b>2,000,000.00</b>				<b>0.641</b>	<b>0.650</b>		<b>0.00</b>	<b>1,946,960.00</b>	<b>1,946,960.00</b>
<b>Pass Through Securities /PAC/CMO</b>												
31371LB99	0442-09	FNMA	1,124.70	4.500	08/01/2013	02/18/2009	2.576	2.612	03/25 - Monthly	Received	1,161.25	1,161.25
31371LGW3	0454-09	FNMA	7,678.49	5.000	11/01/2013	06/16/2009	2.742	2.780	07/25 - Monthly	Received	7,983.23	7,983.23
31371LMX4	0458-09	FNMA	28,979.69	4.000	03/01/2014	09/18/2009	2.109	2.138	10/25 - Monthly	Received	29,957.75	29,957.75
31371LWK1	0465-09	FNMA	14,257.79	4.500	10/01/2014	10/08/2009	2.252	2.284	11/25 - Monthly	Received	14,899.39	14,899.39
31371LVX4	0466-09	FNMA	10,274.41	4.000	09/01/2014	10/19/2009	2.056	2.084	11/25 - Monthly	Received	10,659.70	10,659.70
<b>Pass Through Securities /PAC/CMO Totals</b>			<b>62,315.08</b>				<b>2.220</b>	<b>2.251</b>		<b>0.00</b>	<b>64,661.32</b>	<b>64,661.32</b>
<b>Investment Totals</b>			<b>122,874,895.54</b>				<b>0.599</b>	<b>0.607</b>		<b>6,534.38</b>	<b>123,372,385.23</b>	<b>123,279,344.46</b>

### Portfolio by Asset Class



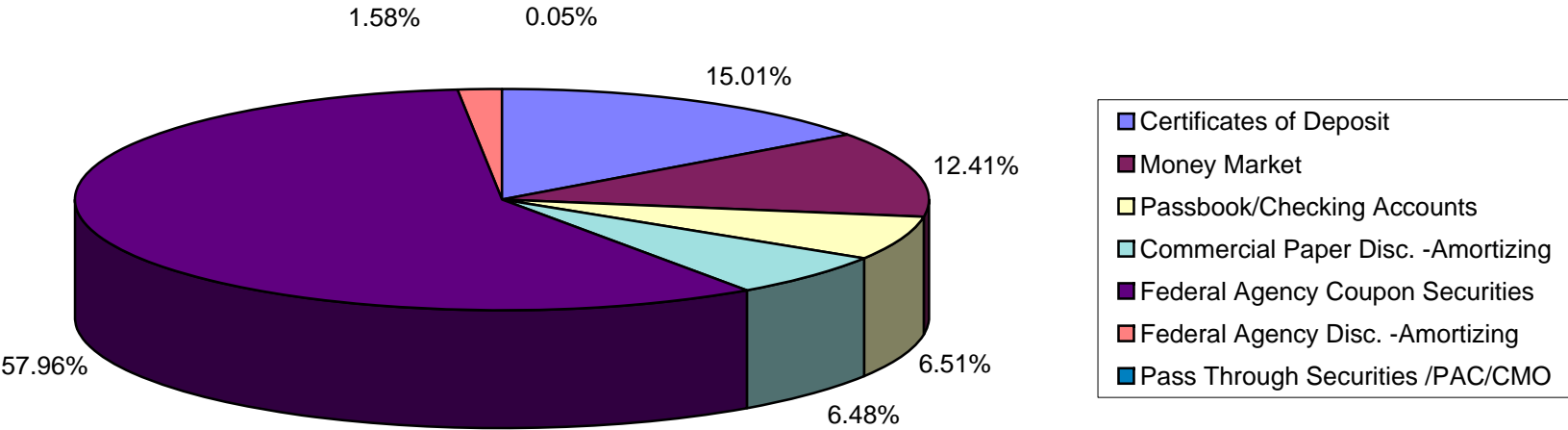
For Fiscal Year Ending June 30, 2013

### Par Value by Issuer Graph



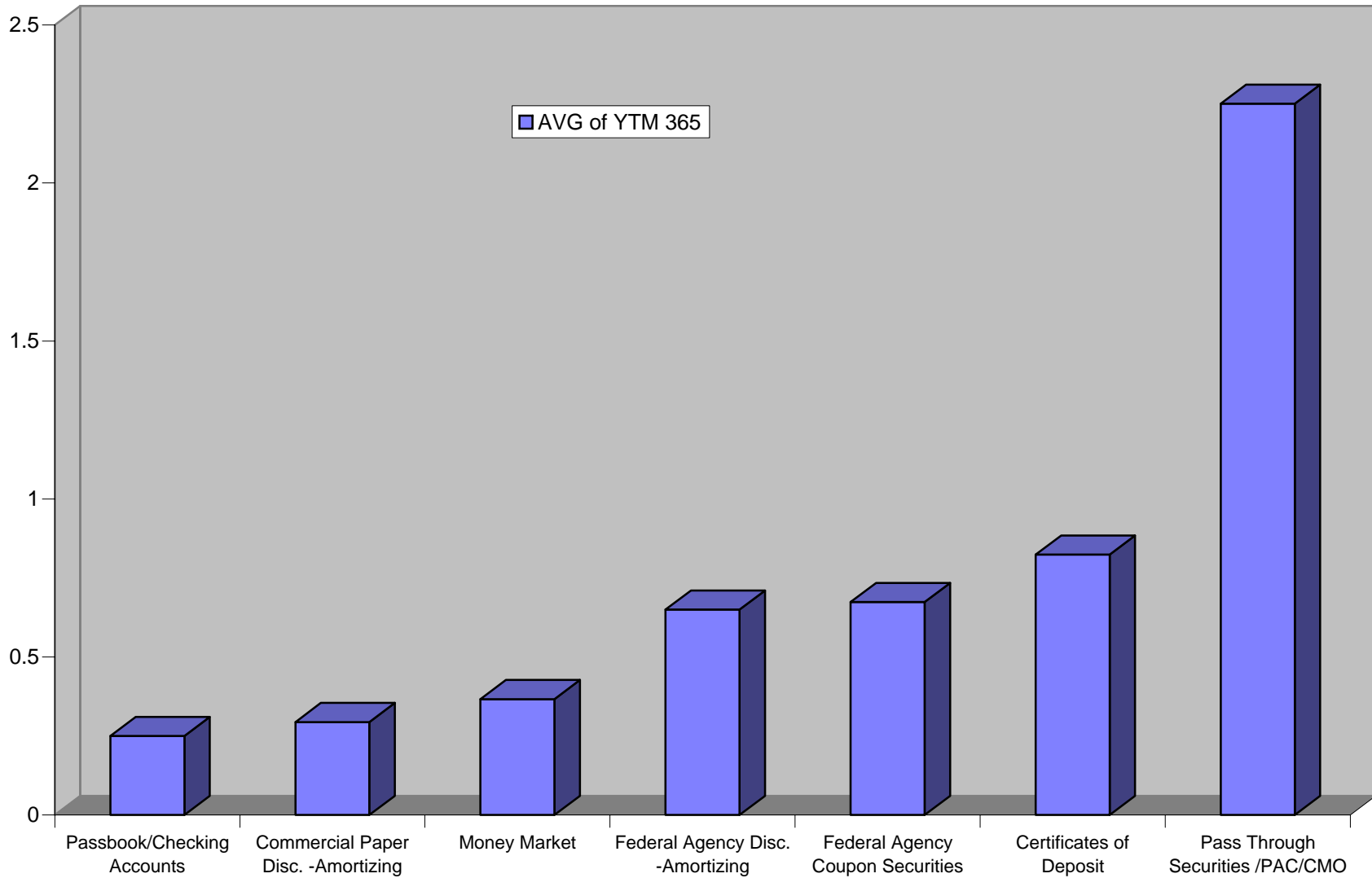
For Fiscal Year Ending June 30, 2013

### Book Value By Investment Type



For Fiscal Year Ending June 30, 2013

### Investment Yield by Type



For Fiscal Year Ending June 30, 2013



**COUNCIL ACTION FORM**

**SUBJECT: APPROVAL OF COMMISSION ON THE ARTS (COTA) SPECIAL GRANTS FOR FALL 2013**

**BACKGROUND:**

On June 3, 2013, the Commission on the Arts members met to finalize recommendations for Fall 2013 Special Grants. A total of 3 grant requests were received, from 2 different organizations. The organizations requested \$2,250 in funding, with \$3,500 being available from the 2013/14 budget for Fall and Spring Special Grants.

Based on the merits of each application and the criteria established for the special grants, COTA recommended the following allocations, which were then sent to the organizations in contract form in June. The contracts are now being presented for your approval.

**COTA FALL 2013-2014 SPECIAL GRANT REQUESTS**

<b>Organization</b>	<b>Request</b>	<b>Project</b>	<b>COTA Recommendation</b>
Co'Motion Dance	\$750	Original Dance w/ Technology	\$620
Octagon	\$750	Feinberg Mask Display	\$610
Octagon	\$750	Portrait Studio	\$720
<b>Totals</b>	<b>\$2,250</b>		<b>\$1,950</b>

The Commission takes seriously its charge to be certain of how the proposal for funding will be completed and be certain that it is understood how the public is benefitted. If the Fall 2013 Special Grants are approved for \$1,950, there will be \$1,550 remaining for Spring 2014 Special Grants.

**ALTERNATIVES:**

1. The City Council can approve \$1,950 for special grant contracts to the Octagon (\$1,330) and to Co'Motion Dance (\$620) as recommended above by Commission On The Arts.
2. The City Council can hold these contracts and ask the Commission for further information.

**MANAGER'S RECOMMENDED ACTION:**

It is the recommendation of the City Manager that the City Council adopt Alternative No. 1 and approve the Fall 2013 special grant contracts as recommended above by the Commission On The Arts.

**COUNCIL ACTION FORM**

**SUBJECT: 2010/11 STORM WATER FACILITY REHABILITATION PROGRAM –  
SPRING VALLEY SUBDIVISION (UTAH DRIVE/OKLAHOMA DRIVE)  
AND THE 2012/13 FLOOD RESPONSE AND MITIGATION (CLEAR  
CREEK LANDSLIDE – UTAH 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 and then reported to Council on October 23, 2012. All bids were rejected by Council at that time due to funding. Staff determined that this project could be combined with the Utah Drive Landslide project located just southwest of this area. The Utah Drive Landslide project is a part of the Flood Response and Mitigation Projects, as prioritized by Council in June 2012.

Clappsaddle-Garber Associates has completed plans and specifications for the project with estimated construction costs of \$325,985, which includes an add alternate for the use of gabion baskets in lieu of live cuttings for stabilization. Engineering and administration costs are estimated to be \$65,000 bringing total estimated costs to \$390,985.

The project is to be financed from the 2010/11 Storm Water Facility Rehabilitation Program in the amount of \$100,000 from Storm Sewer Utility Funds, \$175,000 in G.O. Bonds as part of the 2012/13 Flood Response and Mitigation Program, and \$150,000 in Storm Sewer Utility Funds from the 2010/11 Storm Sewer Intake Rehabilitation Program, bringing total available funding to \$425,000.

**ALTERNATIVES:**

1. Approve the 2010/11 Storm Water Facility Rehabilitation Program - Spring Valley Subdivision (Utah Drive/Oklahoma Drive) and the 2012/13 Flood Response and Mitigation (Clear Creek Landslide – Utah Drive) by establishing August 21, 2013, as the date of letting and August 27, 2013, as the date for report of bids.
2. Do not proceed with this project.

**MANAGER'S RECOMMENDED ACTION:**

By approving plans and specifications and setting the letting date, it may be possible to move forward with the rehabilitation of this area in the fall or early winter of 2013 with project completion in the spring of 2014.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the 2010/11 Storm Water Facility Rehabilitation Program - Spring Valley Subdivision (Utah Drive/Oklahoma Drive) and the 2012/13 Flood Response and Mitigation (Clear Creek Landslide – Utah Drive) by establishing August 21, 2013, as the date of letting and August 27, 2013, as the date for report of bids.

**COUNCIL ACTION FORM**

**SUBJECT: UNIT 8 GENERATOR REPAIRS / RE-WEDGING STATOR**

**BACKGROUND:**

Council may recall that the Unit 8 turbine and generator had a major overhaul in the spring of 2013. During that overhaul, generator testing was performed, and the results indicated loose wedges and increased “greasing” in critical locations within the generator. It was recommended by the testing firm to re-wedge the stator and replace connection ring ties in the near future. Unfortunately, that work was not completed during the recent outage due to unavailability of generator repair crews. Based on the recommendation of General Electric, the original equipment manufacturer, the unit was reassembled and could be operated safely. However, it was recommended that the re-wedging be accomplished within the next couple of years. **Therefore, Staff’s recommendation is to perform the work during the next planned outage scheduled for this fall.**

The engineer’s estimate of this project is \$270,811.

The approved FY 2012/13 Budget and Capital Improvements Plan included \$3,500,000 for the turbine generator overhaul, including parts, professional technical assistance, and contractor services. Funds in the amount of \$627,387.74 remain from that budget, which will be carried over to cover the costs associated with this project.

Upon City Council approval and receipt of favorable bids, the work would begin during the 2013 fall outage, which is scheduled to start on or about October 26, 2013.

**ALTERNATIVES:**

1. Approve the preliminary plans and specifications for the Unit 8 Generator Repairs/Re-wedging Stator and set August 14, 2013, as the bid due date and August 27, 2013, as the date of public hearing and award of contract.
2. Delay the re-wedging of the stator.

**MANAGER'S RECOMMENDED ACTION:**

This stator re-wedge is critical because, if not completed, the risk of catastrophic failure will increase significantly for the generator. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

**COUNCIL ACTION FORM**

**SUBJECT: AWARD OF CONTRACT TO FURNISH ALUMINUM CABLE FOR THE ELECTRIC SERVICES DEPARTMENT**

**BACKGROUND:**

This bid is for the purchase of 30,000 feet of aluminum underground cable which will replenish inventory for the Electric Services Department. This cable is kept on hand in order to ensure availability of cable and to replace failed cable quickly. Typically, this cable is used to provide service for commercial and residential applications. It is also necessary to meet the anticipated needs of the Electric Services Department for new construction and maintenance.

On June 26, 2013, a request for quotation (RFQ) document was issued to 20 firms. The RFQ was advertised on the Current Bid Opportunities section of the Purchasing webpage, and it was also sent to one planroom.

On July 3, 2013, three bids were received as shown below:

BIDDER	BID PRICE
RESCO Ankeny, IA	\$76,349.85
WESCO Distribution Des Moines, IA	\$76,558.50
The McCaskey Company Cedar Rapids, IA	Non-Responsive

After evaluation, staff determined that the bid submitted by The McCaskey Company is non-responsive, because it did not provide a bid from an approved manufacturer.

As a result, two bids remained for consideration. Staff has concluded that the apparent low bid in the amount of \$76,349.85 (inclusive of Iowa sales tax) submitted by RESCO of Ankeny, Iowa, is acceptable.

The City Council should note that due to the metal content of this product, both bidders attached a metal escalation/de-escalation clause due to the volatile market for metal, which may adjust the price on the day the cable is ordered. While this is not an ideal situation for the City, this cable is necessary to the efficient operation of the utility.

**ALTERNATIVES:**

1. Award a contract to RESCO of Ankeny, Iowa, for the purchase of 30,000 feet of aluminum cable, in the amount of \$76,349.85 (inclusive of Iowa sales tax), subject to metals adjustment at time of order.
2. Reject all bids and attempt to purchase aluminum cable on an as needed basis.

**MANAGER'S RECOMMENDED ACTION:**

It is important to purchase aluminum cable at the lowest possible cost with minimal risk to the City. It is also imperative to have cable available to meet customer needs. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

**COUNCIL ACTION FORM**

**SUBJECT: AWARD OF CONTRACT FOR CIRCUIT BREAKERS**

**BACKGROUND:**

On June 11, 2013, City Council approved preliminary plans and specifications for the replacement of Circuit Breakers at the Ames Plant substation.

Bid documents were issued to five firms. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage and a Legal Notice was published in the Ames Tribune. It was also sent to one planroom.

On June 26, 2013, one bid was received as shown below:

Mitsubishi Electric Power Products, Inc., Warrendale, PA	\$169,131.75
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Electric Services staff along with an engineer from Dewild Grant Reckert & Associates (DGR) Company reviewed this lone bid. After completing the evaluation, they concluded that the bid in the amount of \$169,131.75 (inclusive of Iowa sales tax), submitted by Mitsubishi Electric, Warrendale, PA, is acceptable.

Mitsubishi Electric submitted a "Conditions of Sale" document with their bid. Staff reviewed the document and determined that they are the exact same terms & conditions that Mitsubishi submitted the last two times we awarded similar projects to them which were at the July 27, 2010 and February 12, 2013 City Council meetings.

As outlined in the July 27, 2010 and February 12, 2013 Council Action Forms, there were two disputed items by Mitsubishi Electric that were presented to City Council for consideration. The previous two times, the Council approved the two items and awarded the contract to Mitsubishi.

**Mitsubishi has agreed that the same mutually agreed terms and conditions from 2010 will also apply to this procurement. Therefore, these same two items are again presented this time to City Council for consideration. The first one deals with changing the law applicable to interpretation of the contract from Iowa to Pennsylvania. The second one deals with conflict resolution. The "Conditions of Sale" document states that "Disputes are subject to mandatory arbitration".**

**The City Attorney's Office reviewed each of these items and found that, although it is preferable to have Iowa law apply and to avoid mandatory arbitration clauses, Mitsubishi Electric's alternative terms pose minimal risk to the City since this is for the purchase of equipment as opposed to contracting for a public improvement.**



This project involves the purchase of three circuit breakers and related accessories. The Engineer's estimate of the cost of these circuit breakers is \$160,000. The approved FY2013/14 CIP for Electric Services includes \$1,700,000 for engineering, materials, and replacement of the Ames Plant Switchyard Relays and Controls which includes these breakers. To date the budget for this CIP project has the following items encumbered:

1.	\$122,700.00	Encumbered Engineering (Approved by City Council on April 24, 2012.)
2.	\$169,131.75	<b>Actual cost for SF6 circuit breakers – (Pending Council approval of award for this agenda item)</b>
3.	\$132,176.68*	Actual cost for electrical materials (see Electrical Substation Materials Council Action Form on this same Council meeting agenda)  * This amount includes \$137.72 in applicable sales taxes to be paid directly by the City of Ames to the State of Iowa.
4.	\$1,275,991.67	Installation of materials (AVAILABLE FOR THE FUTURE CONTRACT)

**ALTERNATIVES:**

1. Award a contract to Mitsubishi Electric Power Products, Inc., Warrendale, PA, for the SF6 Circuit Breakers in the amount of \$169,131.75 (inclusive of Iowa sales tax).
2. Reject all bids and delay the purchase of the circuit breakers for this project.

**MANAGER'S RECOMMENDED ACTION:**

This equipment is necessary to complete the project at the Ames Plant substation which is necessary for Electric Services to continue providing safe, reliable, service to the customers in the City. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

**COUNCIL ACTION FORM**

**SUBJECT: AWARD OF CONTRACTS FOR SUBSTATION ELECTRICAL MATERIALS**

**BACKGROUND:**

On June 11, 2013, City Council approved preliminary plans and specifications for certain electrical materials associated with the replacement of the 69kV switchyard relay controls at the Ames Plant substation.

Bid documents were issued to twenty-five firms. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage and a Legal Notice was published in the Ames Tribune. The bid was also sent to one planroom.

On June 26, 2013, nine bids were received as demonstrated on the attached report. Electric Services staff, along with an engineer from Dewild Grant Reckert & Associates (DGR) Company, reviewed the bids. After the initial evaluation, they determined that the bids submitted by MVA Power, Inc., Trinity Utility Structures and Valmont Newmark were all non-responsive. The reason they were non-responsive was due to bid security not submitted along with their bids. After further evaluation the bid submitted by Southern States was also determined to be non-responsive because bid was incomplete since not all of the items listed were bid on.

Staff and DGR evaluated the remaining bids and concluded that the low bids for each group are acceptable. The recommended awards are as follows:

- Bid No. 1 69kV Switch – Hamby-Young, Aurora, OH for \$52,552.84\*
- Bid No. 2 Instrument Transformers - RESCO, Ankeny, IA for \$66,160.70\*
- Bid No. 3 Lighting Arresters – Fletcher-Reinhardt Company, Bridgeton, MO for \$11,273.52\*

*\*Award amounts for Bid No.'s 1-3 are inclusive of Iowa Sales Tax*

- Bid No. 4 Steel Structures – Galvanizers, Inc., West Fargo, ND for \$2,189.62, plus applicable sales taxes (in the amount of \$137.72) to be paid directly by the City of Ames to the State of Iowa.

**The Engineer's estimated cost of these materials is \$175,000. The approved FY2013/14 CIP for Electric Services includes \$1,700,000 for engineering, materials, and replacement of the Ames Plant Switchyard Relays and Controls which includes these breakers. To date the budget for this CIP project has the following items encumbered:**

1.	\$122,700.00	Encumbered Engineering (Approved by City Council on April 24, 2012.)
2.	\$132,176.68*	<b>Actual cost for electrical materials (pending Council approval of award for this agenda item)</b>  * <b>This amount includes \$137.72 in applicable sales taxes to be paid directly by the City of Ames to the State of Iowa.</b>
3.	\$169,131.75	Actual cost for SF6 circuit breakers – (see Circuit Breakers Council Action Form on this same Council meeting agenda)
4.	\$1,275,991.67	Installation of materials (AVAILABLE FOR THE FUTURE CONTRACT)

**ALTERNATIVES:**

1. a. Award a contract to Hamby-Young, Aurora, OH, for the Substation Electrical Materials Bid No.1 69kV Switches in the amount of \$52,552.84 (inclusive of Iowa sales tax).
- b. Award a contract to RESCO, Ankeny, IA, for the Substation Electrical Materials Bid No. 2 Instrument Transformers in the amount of \$66,160.70 (inclusive of Iowa sales tax).
- c. Award a contract to Fletcher-Reinhardt Company, Bridgeton, ND, for the Substation Electrical Materials Bid No. 3 Lightning Arresters in the amount of \$11,273.52 (inclusive of Iowa sales tax).
- d. Award a contract to Galvanizers, Inc., West Fargo, ND, for the Substation Electrical Materials Bid No. 4 Steel Structures in the amount of \$2,189.62, plus applicable sales taxes (in the amount of \$137.72) to be paid directly by the City of Ames to the State of Iowa.
2. Reject all bids and delay the purchase of the electrical materials.

**MANAGER'S RECOMMENDED ACTION:**

This equipment is necessary to complete the project at the Ames Plant substation which is necessary for Electric Services to continue providing safe, reliable, service to the customers in the City. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.



**INVITATION TO BID 2013-236  
FURNISH SUBSTATION ELECTRICAL MATERIALS**

**Bid No. 1 69kv Switches**

BIDDER	BID PRICE* (LESS APPLICABLE SALES TAX)	OVERALL BID PRICE**
Hamby-Young, Aurora, OH	\$49,212.00	\$52,552.84
V & S Schuler Engineers, Inc., Canton, OH	\$50,985.40	\$54,498.00
RESCO, Ankeny, IA	\$53,078.33	\$56,793.81
Southern States, Hampton, GA	Non-Responsive - Incomplete bid	
MVA Power, Inc., Montreal, Quebec, Canada	Non-Responsive - Bidder did not supply bid bond with bid	

**Bid No. 2 Instrument Transformers**

RESCO, Ankeny, IA	\$61,832.43	\$66,160.70
Hamby-Young, Aurora, OH	\$66,318.68	\$70,860.99
V & S Schuler Engineers, Inc., Canton, OH	\$68,614.00	\$73,341.00
Fletcher-Reinhardt Company, Bridgeton, MO	\$86,730.00	\$92,801.10
MVA Power, Inc., Montreal, Quebec, Canada	Non-Responsive - Bidder did not supply bid bond with bid	

**Bid No. 3 Lightning Arresters (Vertical)**

Fletcher-Reinhardt Company, Bridgeton, MO	\$10,536.00	\$11,273.52
RESCO, Ankeny, IA	\$10,599.72	\$11,341.70
Hamby-Young, Aurora, OH	\$19,013.70	\$20,344.66
V & S Schuler Engineers, Inc., Canton, OH	\$19,272.80	\$20,600.00
MVA Power, Inc., Montreal, Quebec, Canada	Non-Responsive - Bidder did not supply bid bond with bid	

**Bid No. 3 Lightning Arresters (Underhung)**

Fletcher-Reinhardt Company, Bridgeton, MO	\$11,166.00	\$11,947.62
RESCO, Ankeny, IA	\$11,226.42	\$12,012.27
MVA Power, Inc., Montreal, Quebec, Canada	Non-Responsive - Bidder did not supply bid bond with bid	

**Bid No. 4 Steel Structures**

Galvanizers, Inc., West Fargo, ND	\$2,189.62	\$2,327.34
V & S Schuler Engineers, Inc., Canton, OH	\$2,540.00	\$2,715.00
Fletcher-Reinhardt Company, Bridgeton, MO	\$2,868.00	\$3,068.76
Hamby-Young, Aurora, OH	\$3,069.40	\$3,252.76
MVA Power, Inc., Montreal, Quebec, Canada	Non-Responsive - Bidder did not supply bid bond with bid	
Trinity Utility Structures, Dallas, TX	Non-Responsive - Bidder did not supply bid bond with bid	
Valmont Newmark, Tulsa, OK	Non-Responsive - Bidder did not supply bid bond with bid	

\* This column included since two of the bidders are not licensed to collect sales-tax.

\*\* This includes applicable sales-tax to be paid by the Bidder or from the City directly to the State of Iowa.



# MEMO

**To:** Mayor and Members of the City Council

**From:** City Clerk's Office

**Date:** July 19, 2013

**Subject:** Contract and Bond Approval

There is no Council Action Form for Item No. 16. Council approval of the contract and bond for this project is simply fulfilling a *State Code* requirement.

/jr

### COUNCIL ACTION FORM

**SUBJECT: LIBRARY RENOVATION AND EXPANSION PROJECT CHANGE ORDER #3 WITH ABATEMENT SPECIALTIES, INC.**

#### **BACKGROUND:**

On November 27, 2012, as part of the Library's renovation and expansion project, Abatement Specialties, LLC, of Cedar Rapids was awarded a contract to perform abatement of asbestos and lead-based paint. Abatement of asbestos began on December 3, 2012. (At that time, it was the Library's intention to replace the original wood windows, so it was agreed that abatement of lead-based paint surrounding the windows would be performed when the windows were replaced.)

As work began, additional asbestos was discovered in the building. Change Order #1 in the amount of \$7,678 was approved in February 2013 authorizing:

- Disconnection and removal of ductwork in five additional rooms on the second floor to provide access to other areas requiring abatement;
- Removal of asbestos floor tile on first floor; and
- Removal of asbestos around the perimeter of a first-floor work room.

Abatement Specialties' contract was modified again in March 2013 with Change Order #2 in the amount of \$6,718. The construction supervisor identified where access was needed through the ceiling above the north staircase of the 1940 building for installation of new light fixtures. It was determined that it would be best to remove the entire ceiling coffer than to abate several holes and leave other areas that remained hazardous.

Change Order #3 will have the net effect of adding \$5,803 to Abatement Specialties overall contract price and will require City Council approval due to the overall changes to the contract exceeding staff authority. Changes in the scope of work include:

- Removal of additional floor tile and mastic, ceiling and wall plaster, and the repair of several locations for an additional cost of \$19,388; and
- **Eliminating the abatement of lead-based paint on the 55 wood windows for a deduction of \$13,585.**

Lead-based paint abatement on all of the wood windows was included, as noted above, in the plans and specifications for the Ames Public Library Wood Window Restoration Project approved by Council on July 9, 2013. Thus, this work will be conducted outside of the Abatement Specialties Contract.

**The Library Board of Trustees approved Change Order #3 at its special meeting on July 8, 2013.** The new total price of the Library's contract with Abatement

Specialties is \$69,858. The overall project budgets presently includes a contingency of \$1,203,087.

**ALTERNATIVE:**

1. Approve Change Order #3 for Abatement Specialties, LLC, adding the removal of additional floor tile and mastic, ceiling and wall plaster, and eliminating the abatement of lead-based paint on 55 wood windows from Abatement Specialties' scope of work at a net cost of \$5,803.
2. Do not approve Change Order #3 for Abatement Specialties, LLC.

**MANAGER'S RECOMMENDED ACTION:**

Before abatement bids were solicited, the Library obtained a wide range of estimates on the cost of abatement. The Library Board made the decision to include only the work the architects knew was necessary to contain costs, realizing that some additional areas might be discovered once demolition began.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the Library's Change Order #3 for Abatement Specialties, LLC, adding the removal of additional floor tile and mastic, ceiling and wall plaster, and the eliminating the abatement of lead-based paint on 55 wood windows from the scope of work at a net cost of \$5,803.

**Abatement Specialties (PO 48232)**

<b>Description</b>	<b>Date</b>	<b>Line Item Amount</b>	<b>Change Order Amount</b>	<b>For</b>	<b>Running Contract Total</b>
Original Contract	1/14/2013			Library Expansion and Renovation: LBP & ACM Abatement	\$49,659.00
Change Order 1	2/7/2013	\$1,212.00		Remove ductwork in Founder's Suite	
Change Order 1	2/7/2013	\$4,632.00		Additional asbestos tile removal	
Change Order 1	2/7/2013	\$1,834.00	\$7,678.00	Remove mastic on countertops	\$57,337.00
Change Order 2	3/28/2013	\$6,718.00	\$6,718.00	Remove north stair ceiling coffer	\$64,055.00
Change Order 3	7/8/2013	\$19,388.00		remove floor tile, mastic, add'l ceiling and wall plaster	
Change Order 3	7/8/2013	(\$13,585.00)	\$5,803.00	Eliminate abatement of LBP on wood windows	\$69,858.00



ITEM # 18  
DATE: 07-23-13

### COUNCIL ACTION FORM

**SUBJECT: CHANGE ORDER NUMBER ONE FOR WPC UV DISINFECTION SYSTEM CONSTRUCTION CONTRACT**

#### **BACKGROUND:**

On August 14, 2012 the City Council awarded a construction contract to Garney Construction of Gardner, Kansas to install an ultraviolet (UV) disinfection system at the Water Pollution Control Facility (WPC). This project is a mandatory requirement under the terms of the facility's National Pollutant Discharge Elimination System (NPDES) permit, and a compliance schedule included in the permit requires the system to be operational and in compliance with the bacteriological standards during the first reporting period in 2014.

Once construction began, it was discovered that the large diameter piping to which the UV system needed to connect was located farther south than was shown on the facility's original construction drawings. This necessitated a relocation of the UV building farther south. **The new connection point will require additional 60" diameter pipe to make the connection, additional shoring due to the new connection point being very near the foundation of an existing clarifier, and the unexpected size of the concrete thrust block that the existing pipe was encased in. Because the building had to be relocated to the south, there is also additional expense to route the effluent from the UV system to the existing outfall aerator. Also included in the change order is a revision to the monorail and hoist that is needed to install and remove the banks of UV lights from the channels.**

Garney Construction provided a proposed change order for this work in the amount of \$152,428. Upon review by the City and its consultant, it was determined that a portion of the cost increase was directly attributable to the contractor's means and methods, and was not the responsibility of the City. **City staff provided a revised change order that was accepted by the contractor in the amount of \$124,080.96.** It is important to note that the work covered by this change order is on the project's critical path, meaning delays in approving the change order could hold up the final completion date of the work. A copy of the change order is attached

The revised project budget is:

Engineering	\$	472,348.29
UV Equipment Prepay		37,180.00
Laboratory Equipment		4,072.99
Original Construction Contract		1,984,600.00
Change Order #1		124,080.96
Remaining Contingency		96,772.68
<b>Total Estimated Project Cost</b>	<b>\$</b>	<b>2,719,053.93</b>

There are still some small change order issues remaining to be negotiated with the contractor. These are not on the project's critical path and are unrelated to the items included in Change Order Number One. The net dollar amount for the outstanding issues is anticipated to be less than \$25,000. Therefore the remaining project contingency appears to be adequate.

The project will be financed using a low interest loan from the State Revolving Fund (SRF). On October 9, 2012, Council authorized staff to close on the SRF loan in an *estimated* amount of \$2,565,115. Staff has already reviewed the proposed Change Order Number One with the Iowa SRF staff and confirmed that the work included in the change order is eligible for inclusion in the SRF loan. At the conclusion of construction, the final loan amount will be reconciled with the actual eligible expenses. Any unspent contingency will not be included in the final loan amount.

**ALTERNATIVES:**

1. Approve Change Order Number One with Garney Construction in an amount of \$124,080.96.
2. Do not approve the change order at this time.

**MANAGER'S RECOMMENDED ACTION:**

The UV disinfection system is a requirement of the WPC Facility's NPDES permit, and the City is subject to a binding compliance schedule to install the system. Unforeseen underground conditions require a change to the original construction plans, and the contractor and city staff have agreed on an equitable cost for the changes.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving Change Order Number One with Garney Construction in an amount of \$124,080.96.



CITY OF  
**Ames**™

**CHANGE ORDER NO. 1**

CONTRACT / BID NO:	2013-005
PURCHASE ORDER NO:	48332

July 18, 2013

**Project: WPC Facility Ultraviolet Wastewater Disinfection Project**

Contractor Name:	Garney Companies, Inc.	Change Orders Approved to Date:			
Address:	1333 N. W. Vivion Road	1		3	
City, State, & Zip Code:	Kansas City, MO 64118	2		4	


The contract is modified as follows upon execution of this Change Order. The changes included in this change order are made in order to carry out the original intent of the contract. The changes included in this change order are to be accomplished in accordance with the terms, stipulations, and conditions of the original contract as though included herein.

ACTION	DESCRIPTION	COST	
Add	Monorail		\$16,743.91
Add	DIP Locate		\$7,312.86
Add	DIP Tie In		\$70,459.70
Add	DIP Effluent Extension		\$29,564.49
<b>TOTAL AMOUNT - CHANGE ORDER #1 (Per Attached Letter Dated 7/15/13):</b>			<b>\$124,080.96</b>

**Contract Price:**

Original contract price:	\$1,984,600.00
Change orders approved to date:	\$0.00
Amount of this change order:	\$124,080.96
Adjusted contract price including this change order:	\$2,108,680.96

Accepted for Garney Companies, Inc:

  
 Signature \_\_\_\_\_ Date 7/18/13

Recommended for City of Ames Approval:  
 (John Dunn, Director, Water & Pollution Control)

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name & Title:

Joey Perrell  
 Senior Project Manager

City of Ames Approval (Mayor Campbell):

Signature \_\_\_\_\_ Date \_\_\_\_\_



July 18, 2013

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

Ladies and Gentlemen:

I hereby certify that the site utilities, curb and gutter, and asphalt paving as required as a condition for approval of the final plat of **Ringgenberg Park, 3<sup>rd</sup> Addition** have been completed in an acceptable manner by Ames Trenching and Manatts, Inc. The above mentioned improvements have been inspected by the Public Works Division of the City of Ames, Iowa and found to meet City specifications and standards.

As a result of this certification, it is recommended that the financial security for public improvements on file with the City for this subdivision released in full.

Sincerely,

John Joiner, P.E.  
Public Works Director  
City of Ames

JJ/jc

cc: Finance, Contractor, Construction Supervisor, PW Senior Clerk, Planning & Housing

Ringgenberg Park, 3<sup>rd</sup> Addition  
 April 26, 2013

Description	Unit	Quantity
Mobilization	LS	1
Sanitary Sewer, Connect to Existing	EA	1
Sanitary Sewer, Manhole SW-301	EA	7
Sanitary Sewer, 8-inch	LF	1,982
Sanitary Sewer, Service, 4-inch	LF	1,752
Storm Sewer, Manhole, SW 401	EA	1
Storm Sewer, Intake, SW 501	EA	6
Storm Sewer, Intake, SW 503	EA	2
Storm Sewer, Intake, Beehive	EA	12
Storm Sewer, Intake, Hickenbottom	EA	1
Storm Sewer, Connect to Existing	EA	1
Storm Sewer, Connect to Existing Intake	EA	3
Storm Sewer, 8-inch	LF	125
Storm Sewer, 12-inch	LF	2,775
Storm Sewer, 15-inch	LF	649
Storm Sewer, Service	LF	1,692
Storm Sewer, FES, 12-inch	EA	1
Water Main, 8-inch	LF	1,637
Water Valve, 8-inch	EA	4
Water Service	LF	1,818
Curb Stop	EA	31
Fire Hydrant Valve and Assembly	EA	4
Fire Hydrant Valve and Assembly, Relocate	EA	1
Grading, Roadway and Trail	CY	1,520
Grading, Lots 102 and 108, and Outlot O	CY	3,850
Mobilization	LS	1
Subgrade Prep	SY	6,255
Curb and Gutter, PCC, 30-inch	LF	3,463
Pavement, HMA Base, 6" Thickness	TN	1,730
Pavement, HMA Surface, 2" Thickness	TN	550
PCC Sidewalk, ADA Ramps	SY	54
Tactile Warning Pads	EA	8
HMA Trail	TN	57
Mobilization	LS	1
Silt Fence	LF	1,000
Seeding, Prairie	AC	2.83
Seeding, Temporary	AC	11.83
Mobilization	LS	1
Temporary Gravel Access	LS	1
Grading, Roadway and Trail	CY	2,250
Subgrade Prep	SY	3,608
Curb and Gutter, PCC, 30-inch	LF	1,805
Intake, Final Adjustment and Throat	EA	2
Pavement, HMA Base, 6" Thickness	TN	1,000
Pavement, HMA Surface, 2" Thickness	TN	320
PCC Sidewalk, ADA Ramps	SY	24
Tactile Warning Pads	EA	4
HMA Trail	TN	220
Top Soil Placement, 6-inch	CY	640
Seeding	AC	0.62

**COUNCIL ACTION FORM**

**SUBJECT: COMPLETION OF WPC FACILITY BASIN LINER REPLACEMENT PROJECT**

**BACKGROUND:**

On September 11, 2012, the Ames City Council awarded a contract to Ames Trenching & Excavating, Inc. of Ames, Iowa in the amount of \$105,900 to provide all labor, equipment, materials, and other components necessary to complete the WPC Facility Equalization Basins 1 & 2 and Biosolids Basin Liner Repair Project.

The first step of the repair project was to clean out residual materials in the basins, at which time the need for additional repairs was discovered. The consulting engineer provided an assessment of the situation and recommended the City pursue emergency replacement of the liners for all three basins. Plans and specifications were updated to this effect and change orders inquiries were made by staff.

On November 27, 2012, the Ames City Council approved the following change orders and budget amendments (Resolution No. 12-610) pursuant to the emergency replacement:

- a. Change Order #1 add to the contract with Ames Trenching of \$231,084 for a new contract total of \$336, 984.
- b. Change Order add to the contract with Nutri-Ject for cleaning and dewatering of the basins. The increase was estimated at \$188,564.00.
- c. Change Order add to the contract with FOX Engineering of \$7,000 for a new contract total of \$22,000.
- d. Budget amendments as detailed in the Supplemental Information for Council Action Form Item #19, dated November 27, 2012 totaling to \$654,058, including a 20% contingency.

On December 31, 2012, staff approved Change Order #2 with Ames Trenching of \$10,922.75 for additional work and materials for a new contract total of \$347,906.75.

Fortunately the full estimate for cleaning and dewatering the basins was not needed, and only a small portion of the contingency was utilized. **The net result is a final cost**

**that was approximately \$169,000 less than had been authorized by the Council. This amount will be returned to the Sewer Fund.**

The final project costs are as shown below.

Ames Trenching	\$ 347,906.75
Nutri-Ject (repair only)	\$ 115,083.14
FOX Engineering	<u>\$ 22,000.00</u>
Total	\$ 484,989.89

As of July 9, 2013, work for the WPC Facility Equalization Basins 1 & 2 and Biosolids Basin Liner Repair Project was completed in accordance with the contract and City of Ames specifications. An Engineer's Statement of Completion has been received and is attached. It is the recommendation of staff to accept completion of the work by Ames Trenching and FOX Engineering and authorize final payments. The contract paperwork with Nutri-Ject should be ready for acceptance by Council in August.

**ALTERNATIVES:**

1. Accept completion of the WPC Facility Equalization Basins 1 & 2 and Biosolids Basin Liner Repair Project and authorize payment in accordance with the contracts awarded to Ames Trenching & Excavating, Inc. in the amount of \$336,984 and FOX Engineering in the amount of \$22,000.

This action does not include acceptance of the Nutri-Ject contract. That work will be accepted at a later date.

2. Do not accept completion of the WPC Facility Equalization Basins 1 & 2 and Biosolids Basin Liner Repair Project.

**MANAGER'S RECOMMENDED ACTION:**

An Engineer's Statement of Completion has been prepared by Keith Hobson of FOX Engineering certifying that all work on the emergency basin liner replacement project has been satisfactorily completed. Contract paperwork for Ames Trenching and for FOX Engineering is finalized, and their work is ready to be accepted by Council. Acceptance of the portion of work performed by Nutri-Ject will take place at a later date when that contract paperwork is completed.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting completion of the WPC Facility Equalization Basins 1 & 2 and Biosolids Basin Liner Repair Project contracts with Ames Trenching & Excavation, Inc., issuing payment in the amount of \$336,984 and FOX Engineering issuing payment in the amount of \$22,000. The unspent funds previously authorized by Council will be returned to the Sewer Fund.

# Engineer's Statement of Completion

Project: <b>WPCF Equalization Basin &amp; Biosolids Basin Repairs</b>	Date of Contract: <b>September 11, 2012</b>
Owner: <b>City of Ames, Iowa</b>	Owner's Contract No.: <b>2013-010</b>
Engineer: <b>FOX Engineering</b>	Engineer's Project No.: <b>2394-11A</b>
Contractor: <b>Ames Trenching</b>	

I hereby state that the construction of WPCF Equalization Basin & Biosolids Basin Repairs project by a Contract dated September 11, 2012 has been satisfactorily completed in general compliance with the terms, conditions, and stipulations of said Contract.

The work was completed on July 9, 2013.

I further state that the total amount due to the Contractor for the fulfillment of said Contract is \$347,906.75.

The derivation of this total amount is tabulated as follows:

Original Contract Price:	\$109,500.00
Total of Change Orders:	<u>\$238,406.75</u>
Revised Contract Price:	\$347,906.75

**Signed:**

FOX Engineering Associates

By: Keel L. Hobbs

Iowa Registration No.: 12783

Date: 7-18-13

FOX PN: 2394-11A

**Accepted by:**

City of Ames, Iowa

Resolution: \_\_\_\_\_

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

Attest: \_\_\_\_\_

Distribution:

Engineer  
Contractor  
Owner



**COUNCIL ACTION FORM**

**SUBJECT: COMPLETION OF WPC FACILITY MOTOR CONTROL CENTER NO. 1 REPLACEMENT PROJECT**

**BACKGROUND:**

On December 11, 2012, the Ames City Council awarded a contract to Baker Electric, Inc. of Des Moines, Iowa in the amount of \$81,842 to provide all labor, equipment, materials, and other components necessary to complete the WPC Facility Motor Control Center No. 1 Replacement Project. During the project change orders totaling \$7,817 were approved.

As of July 18, 2013, work for the WPC Facility Motor Control Center No. 1 Replacement Project was completed in accordance with the contract and City of Ames specifications, and an Engineer's Statement of Completion has been received. It is the recommendation of staff to accept completion and authorize final payment in accordance with the contract documents.

**ALTERNATIVES:**

1. Accept completion and authorize payment in accordance with the contract awarded to Baker Electric, Inc. of Des Moines, Iowa in the amount of \$89,659.
2. Do not accept completion of the WPC Facility Motor Control Center No. 1 Replacement Project.

**MANAGER'S RECOMMENDED ACTION:**

An Engineer's Statement of Completion has been prepared by Paul Kaeding of Barr Engineering Company certifying that all work on the Motor Control Center No. 1 Replacement Project has been satisfactorily completed. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting completion of the WPC Facility Motor Control Center No. 1 Replacement Project contract with Baker Electric, Inc. of Des Moines, Iowa and issuing payment in the amount of \$89,659.



Barr Engineering Company  
4700 West 77th Street • Minneapolis, MN 55435-4803  
Phone: 952-832-2600 • Fax: 952-832-2601 • www.barr.com

*An EEO Employer*

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Minneapolis, MN • Hibbing, MN • Duluth, MN • Ann Arbor, MI • Jefferson City, MO • Bismarck, ND

July 18, 2013

City of Ames  
Water and Pollution Control Department  
Attn: Mr. Jim McElvogue  
56797 – 280<sup>th</sup> Street  
Ames, IA 50010-9337

Re: City of Ames, Iowa  
Water and Pollution Control Department  
Water Pollution Control Facility  
Contract between the City of Ames  
And Baker Electric  
Motor Control Center #1 Replacement

Dear Mr McElvogue,

In response to the inquiry regarding the replacement of motor control center, MCC-1, in the raw wastewater pumping station at the Water Pollution Control Facility, it is our opinion that the project is substantially complete.

Upon confirmation that the final tax certificates and related information have been received by the City, and are in order, the recommendation is that the project be considered complete.

If you have questions, please contact me.

Sincerely,



Paul P. Kaeding, PE  
Barr Engineering Co.

**COUNCIL ACTION FORM**

**SUBJECT: PLAT OF SURVEY – SATTERWHITE/CITY OF AMES**

**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)

The subject site is located at:

Street Address: 447 Westwood Drive rear, 928 Garfield Avenue rear

Assessor's Parcel #: 09-05-400-035; 09-05-202-040

Legal Description: Parcel A as shown on Retracement Plat of Survey recorded on February 3, 2012 in Slide 426, Page 2; and Parcel G as shown on the Amended Plat of Survey recorded on August 24, 2005 in Slide 248, Page 1, both being located in Section 5, Township 83 North, Range 24 West of the 5<sup>th</sup> P.M. (Abbreviated)

Owner: **Parcel A:** City of Ames; **Parcel G:** Michael C. Satterwhite and Carla A. Weiner

**Satterwhite is conveying a portion of his property lying north of College Creek to the City. This plat of survey combines it with a parcel that the City recently acquired from Benson. Satterwhite will retain ownership of the portion lying south of the creek. This acquisition now allows for a connection between Munn Woods to the west and Emma McCarthy Lee Memorial Park. A copy of the proposed plat of survey is attached for Council consideration.**

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 23.308(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 to approve the proposed plat of survey.
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 23.308 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:**

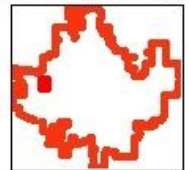
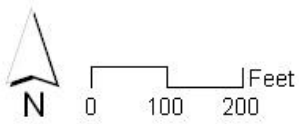
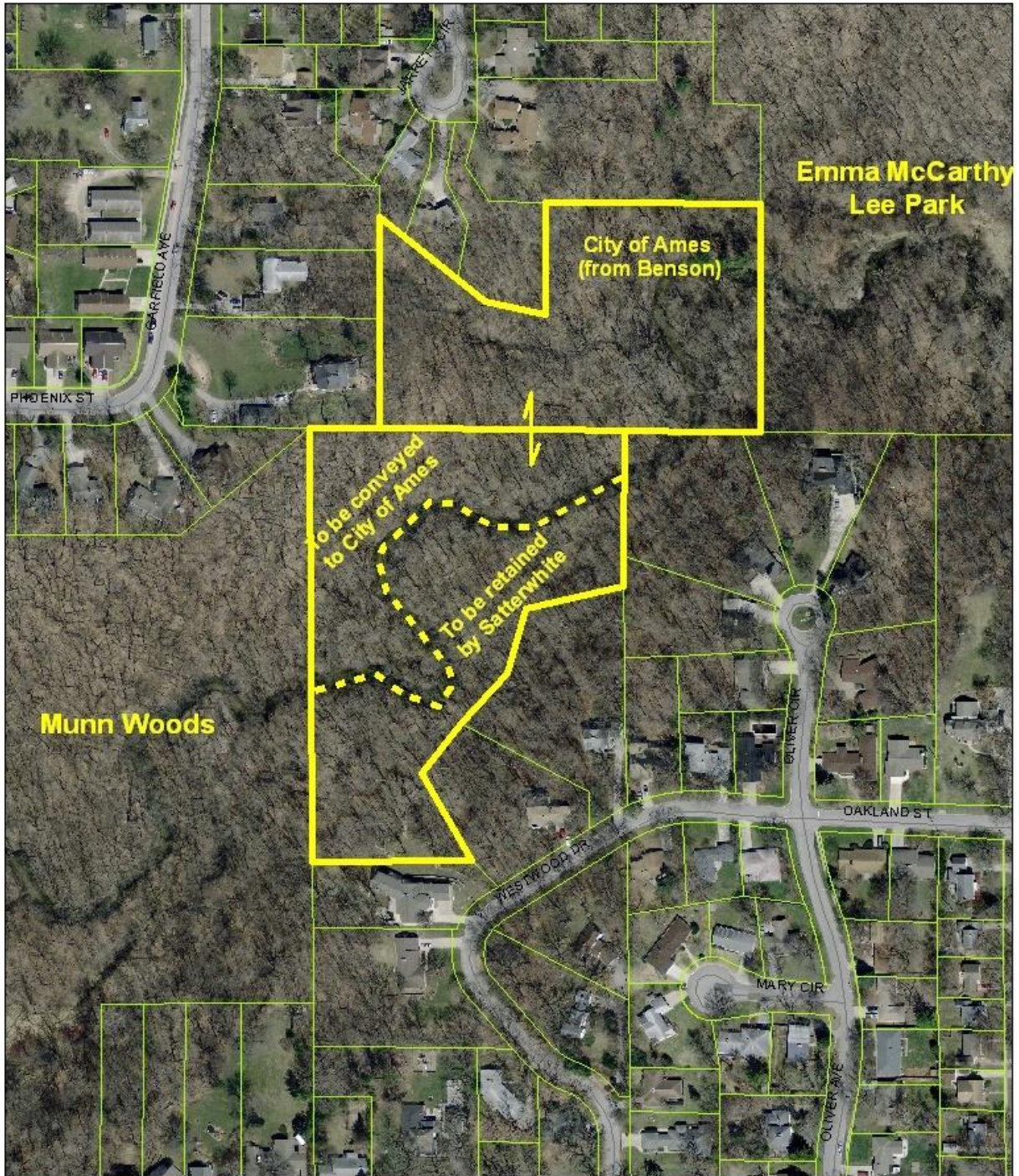
The Planning & Housing Department has determined that the proposed plat of survey satisfies all code requirements and has rendered a preliminary decision to approve the proposed plat of survey.

**Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolution approving the proposed plat of survey.**

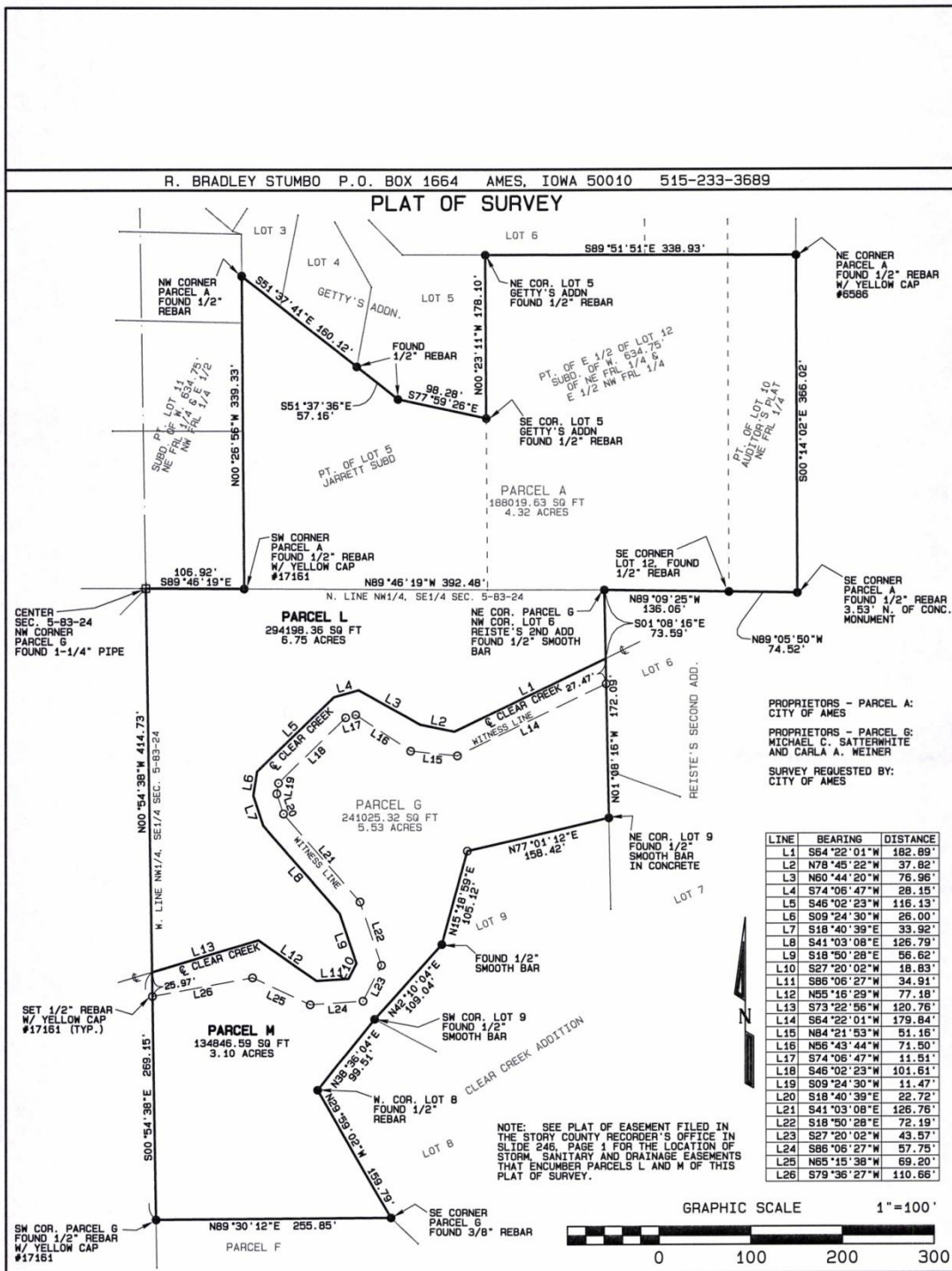
Approval of the resolution will allow the applicant to prepare the official plat of survey and the Planning & Housing Director to review and sign the plat of survey confirming that it fully conforms to requirements. Once signed by the Planning & Housing Director, the prepared plat of survey may then 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 the official plat of survey is not 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 1



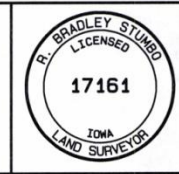
# ATTACHMENT 2



**STUMBO & ASSOCIATES**  
**LAND SURVEYING**  
510 S. 17TH STREET, SUITE #102  
AMES, IOWA 50010  
PH. 515-233-3689 • FAX 515-233-4403

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

R. Bradley Stumbo License #17161 Date: \_\_\_\_\_  
My license renewal date is December 31, 2013  
Job #15603PS Date: 6/07/12 Page 1 of 2  
Fieldwork Completed:



**COUNCIL ACTION FORM**

**SUBJECT: MINOR FINAL PLAT FOR S.E. CORNER OF US HIGHWAY 30 AND INTERSTATE HIGHWAY 35**

**BACKGROUND:**

Mark Gannon is proposing a two-lot subdivision in the unincorporated portion of Story County within the two-mile fringe of Ames. The site is the southeast corner of the intersection of US Highway 30 and Interstate Highway 35.

The Ames City Council waived the subdivision and improvement standards on May 14, 2013 allowing the applicant to submit a minor subdivision plat. The application was submitted on June 24 and reviewed by City and County staff. The submitted materials are all found to be acceptable.

**ALTERNATIVES:**

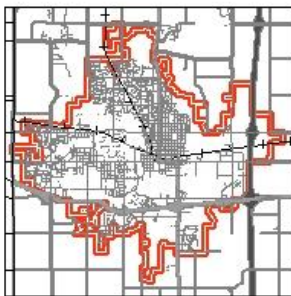
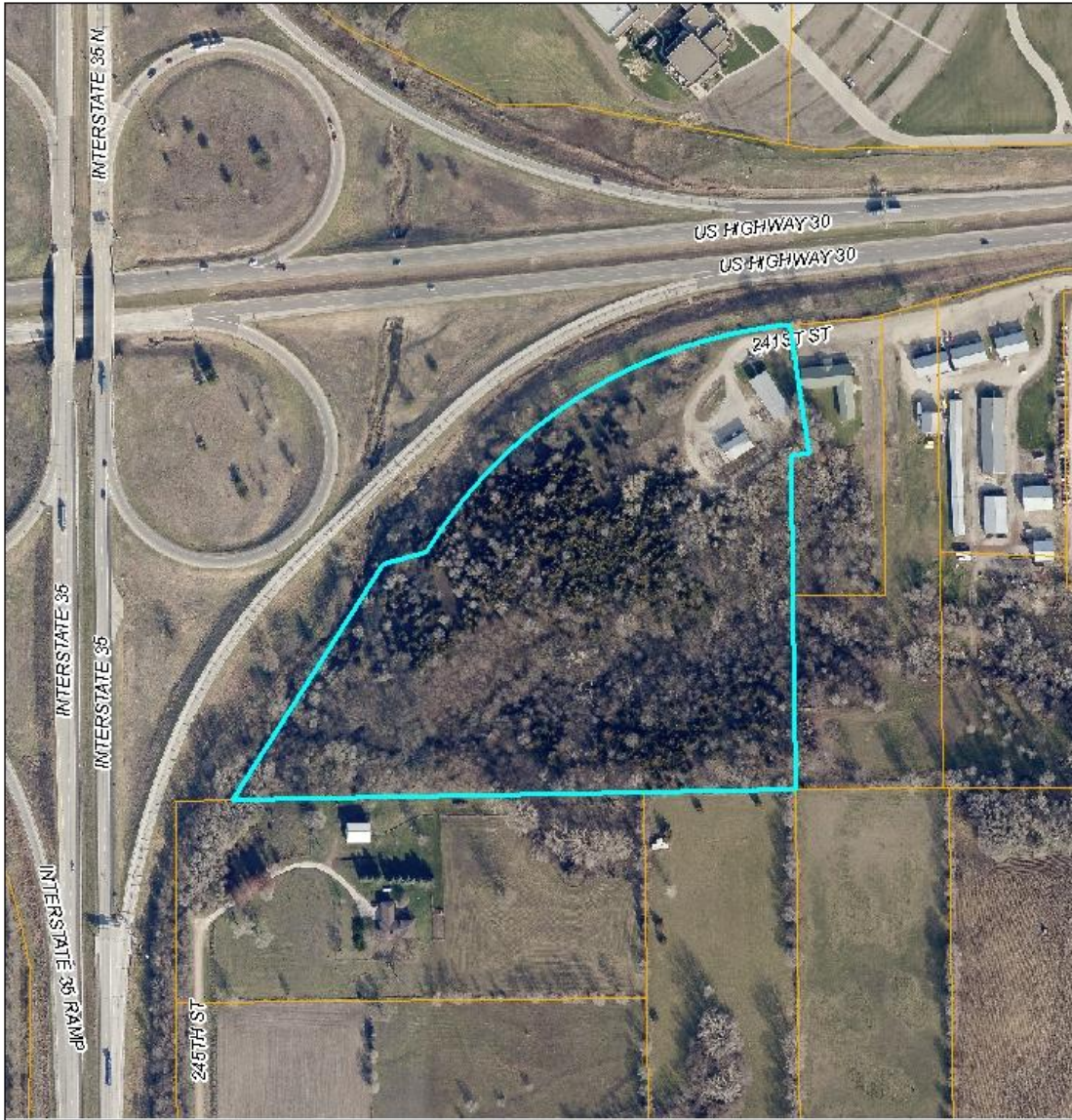
1. The City Council can approve the Final Plat for SE Corner 30-35 Junction Subdivision.
2. The City Council can deny the Final Plat for SE Corner 30-35 Junction Subdivision if it finds that it does not comply with the applicable ordinances, standards or plans.
3. The City Council can refer this request back to staff or the applicant for additional information.

**MANAGER'S RECOMMENDED ACTION:**

The proposed Final Plat for SE Corner 30-35 Junction Subdivision is consistent with the City's existing subdivision and zoning regulations, to other City ordinances and standards, to the City's Land Use Policy Plan, and to the City's other duly adopted plans.

**Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the Final Plat for SE Corner 30-35 Junction Subdivision.**

# ATTACHMENT A



## Location Map







**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:**        **WOODBIDGE SUBDIVISION PLAT 2 MINOR SUBDIVISION FINAL PLAT**

**BACKGROUND:**

Karin Sevde and Rand Sevde, property owners, are requesting approval of a Final Plat for a minor subdivision for the property located at 2013 Oakwood Road (See *Attachment A*). The Final Plat divides Parcel "B" of Woodbridge Subdivision into two lots (Lot 1 and Lot 2) for development in the "HOC" (Highway Oriented Commercial) zoning district (See *Attachment B*).

The City Council is asked to determine compliance with the applicable law found in "*Attachment C*." Staff's analysis of the proposed subdivision plat demonstrates compliance with existing zoning and subdivision standards.

Based upon this analysis, the City Council may conclude that the Final Plat conforms 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.

The applicant proposes to subdivide the existing Parcel "B" into two lots. "*Attachment B*" shows the subject site with the division of property, as requested by the owner. A total of 2.36 acres are included in the plat. Lot 1 includes 1.00 acres and Lot 2 includes 2.36 acres. Lot 2 will also contain the existing 55 foot wide Private Access and Utility Easement. Land included in the proposed subdivision is designated as "Highway Oriented Commercial" on the Future Land Use Map of the Land Use Policy Plan, and is zoned as "HOC" (Highway Oriented Commercial).

Full utilities exist to serve this site, so no public improvements are needed at this time. A private sanitary sewer easement is being provided to extend an existing sanitary sewer service between Lots 1 and 2. There is an existing access easement over the west 55 feet of lot 2 for access for all the lots within the area. The existing access easement and agreement will be maintained as there is no access permitted for these lots off of University Boulevard.

**ALTERNATIVES:**

1. The City Council can approve the Final Plat for Woodbridge Subdivision Plat 2.
2. The City Council can deny the Final Plat for Woodbridge Subdivision Plat 2 if it finds that it does not comply with the applicable ordinances, standards or plans.

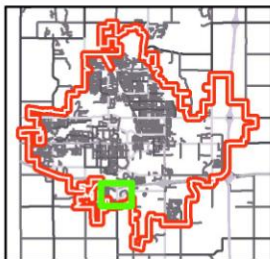
3. The City Council can refer this request back to staff or the applicant for additional information.

**MANAGER'S RECOMMENDED ACTION:**

The proposed Final Plat for Woodbridge Subdivision Plat 2 is consistent with the City's existing subdivision and zoning regulations, to other City ordinances and standards, to the City's Land Use Policy Plan, and to the City's other duly adopted plans. The existing access easement of Lot 2 will be maintained for shared access off of Oakwood Road.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the Final Plat for Woodbridge Subdivision Plat 2 subdivision.

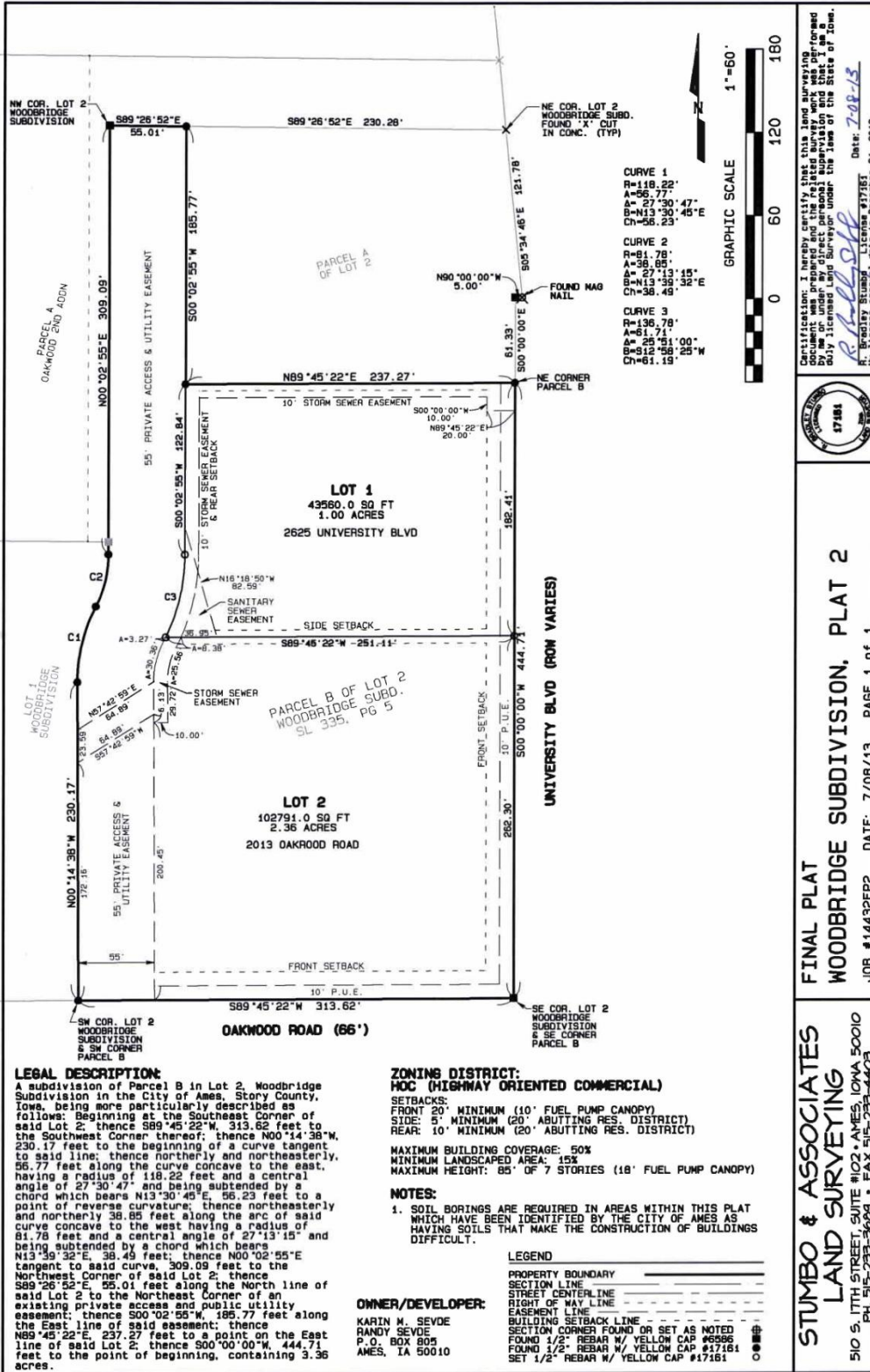
**ATTACHMENT A:  
LOCATION MAP**



**Woodbridge Subdivision Plat 2  
Location Map**



# ATTACHMENT B PROPOSED SUBDIVISION



**ATTACHMENT C**  
**APPLICABLE LAWS**

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.



License Application ( )

25

**Applicant**

Name of Applicant:	<u>LJPS Inc.</u>		
Name of Business (DBA):	<u>Olde Main Brewing Company</u>		
Address of Premises:	<u>1407 University Blvd.</u>		
City: <u>Ames</u>	County: <u>Story</u>	Zip: <u>50011</u>	
Business Phone:	<u>(515) 232-0553</u>		
Mailing Address:	<u>PO Box 1928</u>		
City: <u>Ames</u>	State: <u>IA</u>	Zip: <u>50010</u>	

**Contact Person**

Name:	<u>Matt Sinnwell</u>		
Phone:	<u>(515) 232-0553</u>	Email Address:	<u>mattombc@gmail.com</u>

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

Term: 5 days

Effective Date: 08/10/2013

Expiration Date: 08/14/2013

Privileges:

Class C Liquor License (LC) (Commercial)

**Status of Business**

BusinessType:	<u>Limited Liability Company</u>		
Corporate ID Number:	<u>286196</u>	Federal Employer ID #	<u>77-0613629</u>

**Ownership**

**Daniel Griffen**

First Name: Daniel

Last Name: Griffen

City: Potomac

State: Maryland

Zip: 24854

Position Owner

% of Ownership 25.00 %

U.S. Citizen

**Scott Griffen**

First Name: Scott

Last Name: Griffen

City: Ames

State: Iowa

Zip: 50010

Position Owner

% of Ownership 50.00 %

U.S. Citizen

**Susan Griffen**

First Name: Susan

Last Name: Griffen

City: Potomac

State: Maryland

Zip: 24854

Position Owner

% 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:

**COUNCIL ACTION FORM**

**SUBJECT: CAMPUSTOWN ACTION ASSOCIATION REQUESTS FOR “FRIDAY AFTERNOON IN CAMPUSTOWN”**

**BACKGROUND:**

Campustown Action Association (CAA) plans to host its second annual Friday Afternoon in Campustown (FAC) on August 30, 2013. Organizers propose to host a beer garden and live band in Welch Lot T from 4:00 to 8:00 p.m. The purpose of the event is to bring ISU alumni who are in Ames for the first home football game into the Campustown business district.

In order to facilitate this event, organizers are requesting the closure of Welch Lot T from 7:00 a.m. to 10:00 p.m. on August 30, including a waiver of parking meter fees and enforcement. Lost parking revenue would equate to approximately \$57. The CAA is also requesting a Blanket Vending License and waiver of fee for the license (\$50), and a Blanket Temporary Obstruction Permit for the area.

A Class B Beer Permit with Outdoor Service has been applied for in order to provide alcoholic beverage service at the beer garden, and the CAA is asking for approval of the application.

Public Works will provide appropriate barricades for the event. Organizers will obtain a noise permit through the Police Department and pay for one Police Officer from 4:00 p.m. to 8:00 p.m. to assist with monitoring the beer garden.

The Ames Chamber of Commerce is providing liability insurance coverage for this event, as the CAA is an affiliate organization of the Chamber.

**ALTERNATIVES:**

1. Approve the requests for the Friday Afternoon in Campustown on August 30, 2013, as requested by the Campustown Action Association.
2. Approve requests for lot closure and permits, but require the CAA to pay the \$50 Vending License fee and reimburse the City for lost revenue to the Parking Fund.
3. Deny the requests.

**MANAGER'S RECOMMENDED ACTION:**

The first FAC event in 2012, held during ISU Homecoming weekend, went well with no reports of any major issues. City staff and the Association will continue to closely monitor the success of the event, and note any corrective actions which may be needed in future years. It is to the benefit of the entire community that the CAA is successful in promoting the Campustown area, just as the Main Street Cultural District is promoting the Downtown.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the requests as stated by the CAA for Friday Afternoon in Campustown on August 30, 2013.



campustown  
action  
association

July 15, 2013

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

Dear Honorable Mayor Campbell and City Council,

The Campustown Action Association is planning to hold our second annual Friday Afternoon in Campustown event to coincide with the start of the 2013 ISU football season on Friday, August 30 from 4pm to 8pm. The purpose of this event is to bring Iowa State fans and alumni to Campustown and bring in a more diverse mix of customers to our business district. At this time, CAA requests the Council to consider these specific requests:

1. CAA requests the closure of Welch Lot T on August 30 between 7am and 10pm to host the Friday Afternoon in Campustown celebration.
2. CAA requests a Blanket Temporary Obstruction Permit for the same space (Welch Lot T) to enclose part of the sidewalks and the parking lot with double fencing to host the beer garden and event space. CAA requests the permit for August 30 between the hours of 12pm and 9pm. Set up for fencing will begin at 12pm after the parking lot closure.
3. CAA requests a Blanket Vending License for various food and retail vendors within the beer garden, and further request that the fee for the license be waived.
4. CAA requests the use of all metered parking spaces within the confines of the beer garden in Welch Lot T to place the music stage, beer tent, tables, and guests. CAA further requests that the parking lot fees be waived.

Matthew Goodman, owner of Battles Bar B Q has agreed to apply for a Class B Beer Permit with Outdoor Service to provide alcoholic beverage service for the event. The CAA is supportive of the application and asks that the City Council also approve the application.

Thank you for your consideration of these requests and continued support of the Campustown Action Association. We thank you for your support in 2012 with the inaugural year of Campustown's ISU Homecoming alumni event on October 26 and your assistance in making this event a success. Please save the date to attend on August 30, 2013.

Sincerely,

Kim Hanna  
Director  
Campustown Action Association

License Application ( )

26 b

**Applicant**

Name of Applicant:	<u>Matthew Enterprises, LLC</u>		
Name of Business (DBA):	<u>Campustown FAC</u>		
Address of Premises:	<u>Parking Lot I</u>		
City: <u>Ames</u>	County: <u>Story</u>	Zip: <u>50014</u>	
Business Phone:	<u>(515) 441-0460</u>		
Mailing Address:	<u>2019 Friley Rd.</u>		
City: <u>Ames</u>	State: <u>IA</u>	Zip: <u>50014</u>	

**Contact Person**

Name:	<u>Matthew Goodman</u>		
Phone:	<u>(515) 441-0460</u>	Email Address:	<u>matthew@eatfightingburrito.com</u>

Classification: Class B Beer (BB) (Includes Wine Coolers)

Term: 5 days

Effective Date: 08/30/2013

Expiration Date: 09/04/2013

Privileges:

Class B Beer (BB) (Includes Wine Coolers)  
Outdoor Service

**Status of Business**

BusinessType:	<u>Limited Liability Company</u>		
Corporate ID Number:	<u>386345</u>	Federal Employer ID #	<u>27-0919525</u>

**Ownership**

**Matthew Goodman**

First Name: Matthew

Last Name: Goodman

City: Ames

State: Iowa

Zip: 50014

Position Owner

% of Ownership 100.00 %

U.S. Citizen

**Insurance Company Information**

Insurance Company:	<u>Founders Insurance Company</u>		
Policy Effective Date:	<u>08/30/2013</u>	Policy Expiration Date:	<u>09/04/2013</u>
Bond Effective Continuously:		Dram Cancel Date:	
Outdoor Service Effective Date:		Outdoor Service Expiration Date:	
Temp Transfer Effective Date:		Temp Transfer Expiration Date:	

## Staff Report

**ISU RESEARCH PARK TRAFFIC AND PEDESTRIAN EVALUATION**

July 23, 2013

On January 22, 2013, City Council referred to staff a letter from Steve Carter, President of the Iowa State University (ISU) Research Park. This letter asks the City to study three areas of concern related to traffic and pedestrian safety and operations along affected sections of University Avenue and Airport Road. The concerns generally are related to impacts seen by the significant growth of WebFilings both in the number of employees and location of their facilities within the ISU Research Park.

Since the referral, staff has met on several occasions with Mr. Carter and other ISU Research Park staff jointly with WebFilings management whom has knowledge of their staffing and transition to their new facility that is currently under construction at the southeast corner of University Boulevard and Airport Road. During those meetings, staff discussed the short-term needs as well as the long-term vision not only for Webfilings, but for the ISU Research Park as a whole. **The three areas of concern are as follows; 1) pedestrian crossing safety at the intersection of North Loop Drive and Airport Road, 2) traffic operations at the University Boulevard and Airport Road intersection, and 3) traffic operations at the westbound off-ramp of U.S. Highway 30 and University Boulevard.**

During the past several months, City staff has devoted 90 hours to collect and analyze turning movement counts at intersections along University Boulevard, as well as volume and speed counts along Airport Road in the area of the north-south pedestrian crossing at the N. Loop Drive intersection. The findings from that data are included below.

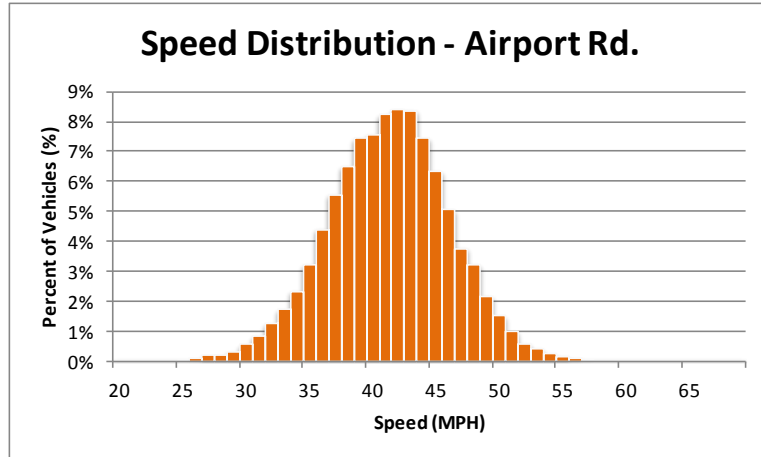
**Pedestrian Crossing - N. Loop Drive and Airport Road:**

To evaluate the pedestrian crossing at Airport Road and North Loop Drive, several data sets were collected such as 1) Speed, 2) Sight Distance, and 3) Gap (time between vehicles). The method used estimates the average wait time for a pedestrian to safely cross Airport Road and whether approaching vehicles from the east or west are able to see the crossing in time to stop or yield as necessary.

**Speed**

Speed data was assessed based upon the posted Speed Limit versus the Prevailing Speed. Prevailing Speed is defined as a combined speed value of the 85<sup>th</sup> Percentile Speed and the Pace, which is defined as a 10 MPH range that contains the highest number of vehicles. Currently, Airport Road is posted at 45 MPH due to the fact it is an arterial road located in an industrial/suburban area of town. The Prevailing Speed was found to be 46 MPH. **Considering that speed is within +/- 3 MPH of the posted limit, it could be considered "ideal" as far as driver compliance to the legal limit.**

It should also be noted that the Pace (37-46 MPH) constituted 70% of the vehicles seen on Airport Road. A value of 70% is noticeably higher than typical values seen ranging from 45% to 65%. A graph of the speed distribution has been provided, below.



**Sight Distance**

Based upon these findings, a vehicle would need approximately 375 feet of sight distance in order to safely evaluate whether a pedestrian was in the crosswalk and have time to yield or come to a stop. Currently, there is approximately 1,000 feet of sight distance for westbound traffic measured from the southbound stop bar, and from the center median there is approximately 500 feet for eastbound traffic. **In general, when measured from the first point of conflict with an oncoming vehicular lane there is more than adequate sight distance available.**

**Gap**

The third criterion evaluated was how long a pedestrian would potentially have to wait until a gap of adequate size was available to safely cross Airport Road. It should be noted that this calculation was evaluated in two stages due to the fact that the median acts as a refuge area that breaks up and potentially simplifies the crossing movement. An average wait time range for typical delays seen along an arterial street crossing is from 30 to 55 seconds, whereas above 55 seconds would be considered a “high” amount of delay. The data showed the following average values by hour of the day in the table provided to the right.

Gap: Ped Wait Times			
Time of Day	Average Time (s)	Time of Day	Average Time (s)
12:00 AM	1.0	12:00 PM	53.4
1:00 AM	0.2	1:00 PM	49.4
2:00 AM	0.1	2:00 PM	41.5
3:00 AM	0.0	3:00 PM	48.4
4:00 AM	0.0	<b>4:00 PM</b>	<b>55.3</b>
5:00 AM	0.6	<b>5:00 PM</b>	<b>68.3</b>
6:00 AM	4.2	6:00 PM	33.4
7:00 AM	27.7	7:00 PM	17.9
8:00 AM	35.0	8:00 PM	12.2
9:00 AM	26.2	9:00 PM	6.4
10:00 AM	31.3	10:00 PM	2.2
11:00 AM	42.2	11:00 PM	1.0

**As expected, a pedestrian experiences increasing delay when crossing Airport Road as traffic volumes increase during the peak hours of the day. Only two**



hours for a typical work day were found to have “high” levels of average delay. These were during the PM Peak Hour, 4:00 PM to 5:00 PM. The remaining work hours saw low to moderately-high amounts of delay, which are within the expected range for an arterial street.

From meetings with ISU Research Park and WebFilings staff, it appears that most of the pedestrian crossing issues that were cited happen throughout the work day. Both the speed and volume of traffic would indicate safety benefits from adding flashing lights to the existing signs and pavement markings to increase driver’s awareness of pedestrians using the crosswalk. A recent example that is comparable would be the 12<sup>th</sup> Street pedestrian crossing on north Duff Avenue by the Hospital, where there are a higher number of pedestrians crossing a four-lane arterial roadway.

### **Traffic Operations - Airport Road and University Boulevard:**

For this study, Public Works staff collected peak-hour turning movement counts (AM, Noon, and PM peak-hours) at major intersections along University Boulevard from Airport Road north through the interchange with U.S. Highway 30. **ISU Research Park staff expressed concerns related to increased delays as Research Park businesses, such as WebFilings, continue to grow at a rapid pace and feel that a traffic signal should be placed at the intersection.**

In order to meet Federal guidelines for a traffic signal, as outlined in the Manual on Uniform Traffic Control Devices (MUTCD) – Part 4: Highway Traffic Signals, a proposed traffic signal installation must **meet at least one of nine possible warrants**. Because of time and data constraints only Warrant 3, Peak Hour, was evaluated. Warrant 3 states that a traffic control signal shall be considered if either criteria A or B is met as follows:

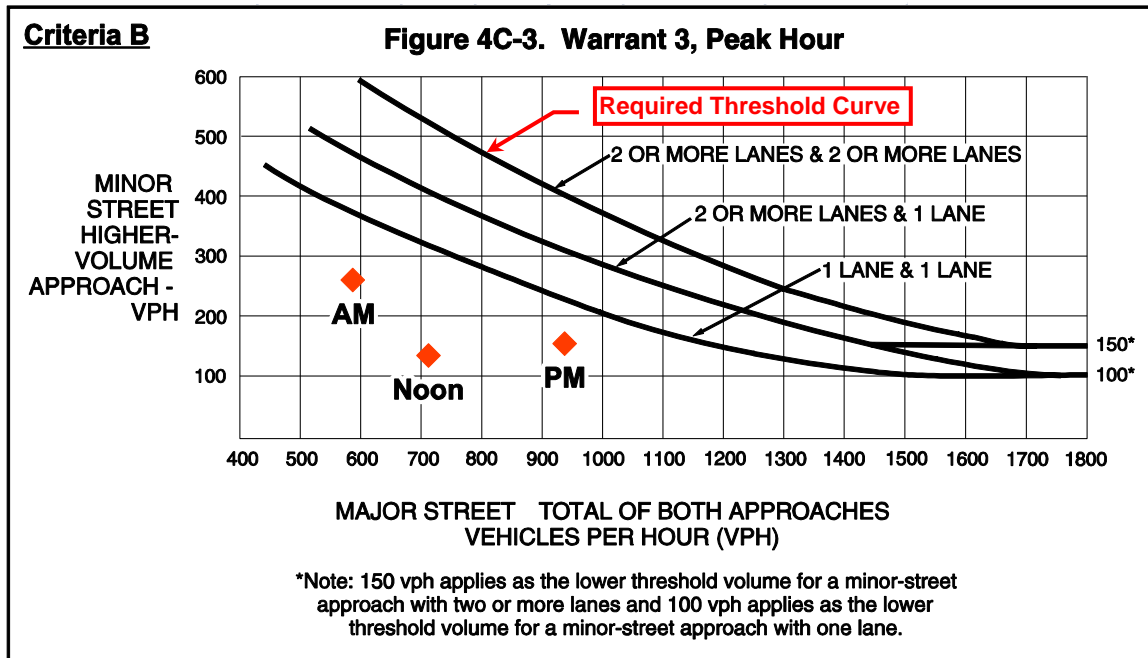
Criteria A: (all three must be met)

1. Total stopped time delay  $\geq$  five vehicle-hours
2. Traffic volumes on one of the minor street approaches  $\geq$  150 vehicles/hour
3. Total entering traffic volume  $\geq$  800 vehicles

Criteria B: Plotted traffic volumes (must be above the appropriate curve on the graph)

The following table summarizes the evaluation of the three peak-hours seen at the intersection of Airport Road and University Boulevard:

Peak-Hour	Criteria A			Criteria B	
	A1	A2	A3	Y/N?	Y/N?
AM	3.7	265	935	N	N
Noon	0.9	140	885	N	N
PM	1.9	160	1135	N	N
	>=	5	150	800	



Airport Rd. and University Blvd.

As shown by the data, the intersection does not meet Criteria A or Criteria B in any of the three peak hour periods, and therefore does not meet warrants to install a traffic signal at this time. However, as seen in the table above, the intersection is close to meeting all three thresholds under Criteria A, which does support the experiences of those who work at the ISU Research Park whom are seeing heavy delays during the AM and PM peak hours.

The intersection is expected to meet warrants if there is any further growth seen at the ISU Research Park. Knowing that ISU is looking to significantly expand the Research Park, as shown in a recent conceptual plan referred to as the “Phase 3” expansion, the most appropriate approach would be to improve the intersection of Airport Road and University Boulevard after a traffic impact study has been completed for Phase 3. This study would account for all existing and future transportation needs of the area.

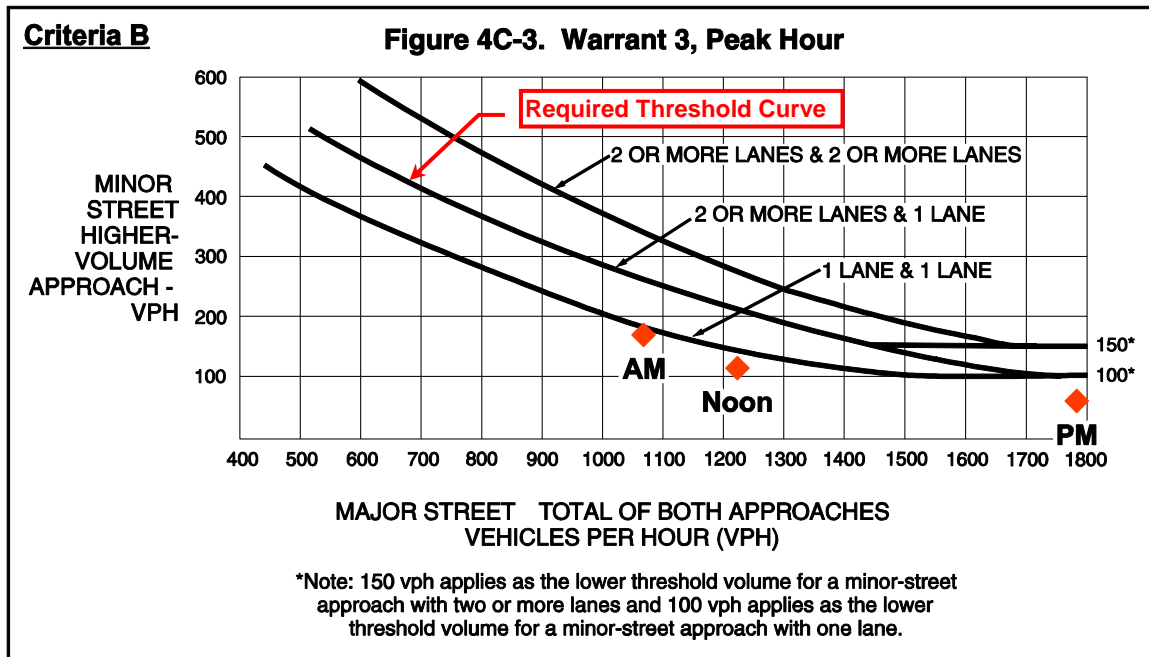
It should be noted that staff also reviewed the intersection’s crash history from the last ten years (2003-2012) using the most current database provided by the Iowa Department of Transportation (Iowa DOT). The data did not indicate any significant safety issues related to congestion, nor were there any accidents that occurred that can be best mitigated by installation of a traffic signal. There were only 10

accidents in those 10 years of which more than half were snow and ice related. The remaining accidents involved distracted or intoxicated (1 accident was alcohol related) drivers.

**U.S. Highway 30 Westbound Off Ramp Operation:**

Similarly to the intersection of Airport Road and University Boulevard, the westbound off ramp of U.S. Highway 30 was treated as a T-intersection and evaluated operationally using Warrant 3 of the MUTCD. Since there is only one lane on the off ramp, the thresholds of Criteria A are reduced to the values shown at the bottom of the table. The results of the warrant analysis are shown, below:

Peak-Hour	Criteria A			Criteria B	
	A1	A2	A3	Y/N?	Y/N?
AM	5.4	120	1340	Y	N
Noon	2.4	175	1240	N	N
PM	18.1	65	1845	N	N
	$\geq$ 4	100	650		



University Blvd. and US HW 30 Off Ramp

The peak-hour warrant analysis for the westbound U.S. Highway 30 off ramp resulted in meeting Criteria A in only the AM peak-hour. Although this does meet the minimum threshold specified within Warrant 3, engineering judgment would not indicate a need for a traffic signal to be installed at this time due to the high volume of north-south traffic on University Boulevard. Traffic signals have the potential, if placed improperly, to actually increase overall delay seen along a corridor,

like University Boulevard, as well as a potential decrease in safety as traffic signals tend to see an increase in rear-end accidents (typically property damage only accidents).

The City Council should note, since the interchange is part of U.S. Highway 30 right-of-way, the Iowa DOT will have final say as to whether or not a traffic signal control is installed, regardless of the outcome of these findings.

Historically, the Iowa DOT has required a more robust study that would involve analysis of Warrants 1, 2, 3, and 7, which are the Eight-Hour, Four-Hour, Peak-Hour, and Crash Experience warrants respectively. This type of study would entail a significant amount of additional data collection and cost.

### **STAFF COMMENTS:**

City staff gained valuable insight after meeting with members of the ISU Research Park to hear their concerns, in the context of the existing conditions as well as future plans for growth of the Research Park. **The data collected during the course of this study does indicate that the sections of Airport Road and University Boulevard affected by the Research Park are beginning to experience transportation issues related to congestion, which is typical of areas of larger employment, such as the case of a research or industrial park.**

### **Pedestrian Crossing**

**Because of above findings, City staff has already installed advanced warning signs and high visibility crosswalk markings at the intersection of North Loop Drive and Airport Road. One possible initial action would be to direct staff to enhance the existing warnings signs by installing pedestrian push-button activated flashers.** This additional warning system will cost approximately \$9,000 for the materials only, which can be installed by City crews. Given this magnitude of expenditures, funding could come from the available balance in the Road Use Tax Fund.

Nationally, this treatment has been shown to greatly increase compliance on the part of drivers to yield or stop if needed for pedestrians using crosswalks on multi-lane arterial streets as in the case of Airport Road. It should be noted that if growth plans for the Research Park significantly change the current condition seen along Airport Road, these flashers can be removed and reused at another location with little or no cost to the City (labor only).

### **Traffic Control**

**In regards to the intersection control at either Airport Road/University Boulevard, or University Boulevard/U.S. Highway 30 westbound off ramp, the data does not support traffic signal improvements at this time.** However, if the City Council would like a more robust analysis of these two locations in question, staff could be directed to proceed with a more comprehensive analysis for the remaining warrants.

Because there are plans to substantially expand the Research Park in the near future, staff would suggest that the best course of action at this time is to wait until a Traffic Impact Study is performed in relation to the proposed Phase 3 expansion of the ISU Research Park. This approach will not only yield the best long-term investment (not having to remove an expensive improvement installed today when the expansion of the Research Park calls for a different solution) in transportation for the area, but will also ensure whatever improvements are needed will be consistent with the Long Range Transportation Plan, thereby maintaining traffic operations now and into the future.

**COUNCIL ACTION FORM**

**SUBJECT: 2012/13 WATER SYSTEM IMPROVEMENTS PROGRAM – WATER  
MAIN REPLACEMENT #3 (CENTER AVENUE)**

**BACKGROUND:**

The annual Water System Improvements program provides for replacing water mains in areas that are experiencing rusting water problems. It also provides for installing larger distribution mains in areas that have a high concentration of 4-inch supply lines, transferring water services from 4-inch water mains in streets where larger water mains exist, and abandoning 4-inch water mains. Eliminating duplicate water mains, where possible, improves water flow and helps reduce rusty water. Installing larger distribution lines in areas that have a high concentration of 4-inch supply lines and less than desirable fire-fighting capacity (predominately in the older areas of the community) provides larger supply quantities in relation to the current and proposed land uses, in accordance with the Land Use Policy Plan.

**This project entails placing a 12-inch water main along Center Avenue from Lincoln Way to East 2<sup>nd</sup> Street.** This project also includes installation of a new fire service and domestic water service to Resource Recovery that will be coordinated with their facility fire sprinkler improvements project.

On July 17, 2013, bids on this project were received as follows:

Engineer's Estimate	\$133,205.50
Ames Trenching & Excavating	\$118,078.00
Synergy Contracting	\$136,275.10
J&K Contracting	\$158,440.49

The 2012/13 Water System Improvements Program includes expenses as follows:

East Lincoln Way Water Main Replacement (Contract)	\$154,686
South Wilmoth – Tripp Water Main Replacement (Contract)	\$384,443
<b>Center Avenue Water Main Replacement (This Project)</b>	<b>\$118,078</b>
Water Service Transfers (Actual)	\$ 90,713
Engineering and Contract Administration (Estimated)	<u>\$135,000</u>
	\$882,920

**Project funding is shown in the 2012/13 Capital Improvements Plan in the amount of \$900,000 from the Water Utility Fund.**

**ALTERNATIVES:**

- 1a. Accept the report of bids for the 2012/13 Water System Improvements – Water Main Replacement #3 (Center Avenue).
  - b. Approve the final plans and specifications for the 2012/13 Water System Improvements – Water Main Replacement #3 (Center Avenue).
  - c. Award the 2012/13 Water System Improvements – Water Main Replacement #3 (Center Avenue) to Ames Trenching & Excavating of Ames, Iowa, in the amount of \$118,078.00.
2. Do not proceed with the project at this time.

**MANAGER’S RECOMMENDED ACTION:**

By approving these plans and specifications, it will be possible to improve the reliability of the water system and to improve water quality for our citizens and businesses in this area.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the report of bids, approving final plans and specifications, and awarding the 2012/13 Water System Improvements – Water Main Replacement #3 (Center Avenue) to Ames Trenching & Excavating of Ames, Iowa, in the amount of \$118,078.00.

**COUNCIL ACTION FORM**

**SUBJECT: REPORT OF BIDS FOR 2013 SOFTBALL FIELD FENCING & LIGHTING IN SOUTH RIVER VALLEY PARK**

**BACKGROUND:**

This project is to replace fencing and lighting on two softball diamonds in the South River Valley Park. The current fencing is old and is a potential safety hazard. The lighting is currently inadequate. The budget for this project is \$260,000. The architectural/engineering firm's original estimate for construction of this project was \$293,000.

**Thus far, \$14,500 has been used for design fees and \$8,500 for soil borings at the site. This brings the remaining budget to \$237,000 for construction. Depending on the chosen alternates, the remaining costs may be high as \$272,450**

**Softball Field Fencing Project:**

Bidder	Base Bid:	Add Alt. #1 (backstop 16' high rather 12")	Add Alt. #2A (expanding width of backstop an additional 10")	Add Alt. #2B (add 10" width to backstop with 16' high)	Add Alt. #3A (manufactured foul poles)	Add Alt. #3B (custom designed foul poles)	Max. Total With Alternates (#1, #2B, #3B)
Des Moines Steel Fence Co. Inc., Des Moines IA	\$47,890	\$1,710	\$1,570	\$2,080	\$3,720	\$3,870	\$55,550

Softball Field Lighting Project: Bidder	Base Bid:	Add Alt. #1 (upgrade to "competitive" lighting)	Deduct Alt. #2 (direct bury the wiring)	Add Alt. #3 (new wire to scoreboards)	Add Alt. #4 (new wiring to irrigation systems)	Max. Total With Alternates (excluding #2)
Van Maanen Electric, Inc., Newton IA	\$173,000	\$38,500	\$-5,600	\$2,200	\$3,200	\$216,900
Ardent Lighting Group LLC, Knoxville, IA	\$193,114	\$31,755	\$-1,545	\$5,199	\$5,153	\$235,221

The City Council should note that the CIP for the Parks and Recreation Department also includes the repairs to the Skate Park as well as the construction of Sand Volleyball Courts with lights at Emma McCarthy Lee Park. Initial estimates indicate that the Skate Park and Sand Volleyball projects may require more funds than are budgeted.

Staff has identified additional savings from the following projects that could be used to finance the overages projected for the three CIP projects: Carr Pool demolition



(\$20,000), Ada Hayden bridge erosion (\$15,000), Furman Aquatics Center message board (\$15,000), and Homewood bank stabilization (\$10,000).

**ALTERNATIVES:**

1. Accept the report of bids for the 2013 Softball Field Fencing and Lighting in South River Valley Park but do not award bids on the project at this time.

This delay will allow staff the time to examine in greater detail the projected costs for the three CIP projects and prioritize the which projects should receive the savings identified from other approved projects.

2. Approve low bid from Des Moines Steel with the Base Bid and Alternate 3B (\$51,760) the bid from Van Maanen Electric with the Base Bid, Alternates #2, #3, and #4 (\$172,800).

This alternative would total \$224,560 which is well within the available budgeted funding.

2. Reject all bids.

**MANAGER'S RECOMMENDED ACTION:**

**The proposed project will provide much needed improvements to two softball fields, reducing the safety hazard of the old fencing and improving the lighting. However, staff is currently working to better understand the scope of repairs needed to the Skate Park and to obtain a second cost estimate for the Sand Volleyball Courts before moving forward with award of contracts on South River Valley. Since all three projects may require more funding, staff requires additional time to prioritize the needs for each of these projects.**

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the report of bids for the 2013 Softball Field Fencing and Lighting in South River Valley Park but not awarding bids on the project at this time.

**COUNCIL ACTION FORM**

**SUBJECT: WOODVIEW DRIVE WATER AND SEWER PROJECT**

**BACKGROUND:**

In September 2009, property owners on Woodview Drive asked City Council to investigate the costs associated with installation of sanitary sewer and water main to serve those property owners who are not currently served by City utilities. A concept design and preliminary cost estimate were prepared, and it was determined that a Special Assessment District could be established for all benefiting properties.

On July 23, 2013, bids on this project were received as follows:

Engineer's Estimate	\$316,264.30
Keller Excavating	\$215,822.00
Synergy Contracting	\$236,504.45
J&K Contracting	\$274,744.40

Engineering and contract administration are estimate to be \$32,400 bringing the total estimated project cost to be \$248,222.

The property owners reached agreement amongst themselves before they contacted the City to initiate this project, and all have contractually committed to a voluntary assessment process. In addition, they have all signed a Contract and Waiver agreement in which there is language that essentially has the property owners waiving rights to notice, to object to boundaries, to object to the formula for assessment, and to waive assessment valuation limitations, as well as other rights that state law establishes for non-voluntary public improvement assessments. **Therefore, there will be no City funding contribution to this project.**

It should be noted that in an effort to keep costs down, **the property owners have agreed to complete the restoration of any disturbed areas on their respective properties**, which would normally be the responsibility of the project contractor. **The above costs do not include service connections to the individual properties. These costs will be property-dependant and the residents are agreeable to this.** Staff has encouraged the residents to coordinate with the contractor at the time of the utility installation or to hire a plumber of their choice at a later date to provide the connection to their homes.

This project is shown in the 2012/13 Capital Improvements Plan with funding in the amount of \$357,000 from Assessment Abated General Obligation Bonds.

**Staff has contacted the area residents with the bid results and they wish to move forward with the awarding of the contract so the utilities can be installed this construction season.**

**ALTERNATIVES:**

- 1a. Accept the report of bids for the Woodview Drive Water and Sewer project.
  - b. Approve the final plans and specifications for the Woodview Drive Water and Sewer project.
  - c. Award the Woodview Drive Water and Sewer project to Keller Excavating of Boone, Iowa, in the amount of \$215,822.
2. Direct staff to pursue modifications to the project.

**MANAGER'S RECOMMENDED ACTION:**

By approving this project, these utilities will be able to be installed during the 2013 construction season. This will help the residents avoid the impact of failure to aging private wells and septic systems.

Given the continued support from the area property owners to move ahead with this project, 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 Woodview Drive Water and Sewer project to Keller Excavating of Boone, Iowa, in the amount of \$215,822.

**COUNCIL ACTION FORM**

**SUBJECT: REZONING OF A PORTION OF 4130 LINCOLN SWING FROM RESIDENTIAL LOW DENSITY TO RESIDENTIAL HIGH DENSITY**

**BACKGROUND:**

GW College Park, LLC submitted a rezoning request for the property at 4130 Lincoln Swing. The property's current use is a mobile home park. The owner is considering a redevelopment of the site to high density apartments.

The City Council initially considered the rezoning application on June 25, 2013. **At that June 25<sup>th</sup> meeting, the Council left the public hearing open to allow staff to work out an agreement for the rezoning with the applicant. The Council requested that there be a minimum six months notice time for the residents of the mobile home park prior to closing the mobile home park for redevelopment.** The City Attorney has drafted and the applicant has signed the proposed agreement which is including for your review. **If the Council agrees with the Contract Rezoning Agreement, the Council will need to approve the resolution for the agreement and then can approve the first reading of the ordinance to rezone the "RL" Residential Low Density portion of 4130 Lincoln Swing to "RH" Residential High Density.**

Based on the Land Use Policy Plan, the property (3.77 acres total) carries a split land use designation, with the north half of the lot being designated within the general high density residential land use classification, while the south half is generally designated as low density residential land use. See Attachment A.

The property also has a split zoning designation, with a majority (3.15 acres) of the lot being zoned Residential High Density. A small portion (.62 acres) of the lot along the southern boundary is zoned Residential Low Density. See Attachment B. **Based on the Zoning Code, when a property contains split zoning designations, the property must be developed based on the most restrictive zoning designation, which in this case is low density residential. The owner would like to eventually redevelop the property into apartments, which by zoning designation would require a residential high density designation.** The request is to rezone the south portion of the property from "RL" Residential Low Density to "RH" Residential High Density. See Attachment C.

Justification could be given for either of the land use designations and zoning districts identified for the property, since there are predominately high density uses along Lincoln Swing and single family residences to the south. However, **the Residential High Density zone is more in line with the abutting properties in the area and fronting on Lincoln Swing. Also, the area zoned RL on the property could not be subdivided and left as a remaining RL property, since the potential lot would not have any frontage on a public street. Staff's analysis of the request leads to a**

**conclusion that rezoning the lot to High Density Residential is consistent with the Land Use Policy Plan and the current zoning designation within the surrounding area.** Furthermore, there are no other issues that would preclude the use of this property for redevelopment within the high density residential classification.

The Planning and Zoning Commission, by a vote of 4 to 1, recommended that the City Council approve the request to change the zoning designation on the south portion of the property from Low Density Residential to High Density Residential. Several members of the community spoke against the rezoning request. Concerns expressed focused on the impact and uncertainty of a possible redevelopment of the site and a decrease in affordable housing options within the City.

**ALTERNATIVES:**

1. If the City Council agrees with the Contract Rezoning Agreement, the City Council can approve the resolution for the agreement, and then can approve the first reading of the ordinance to rezone the south .62 acres of the property at 4130 Lincoln Swing from “RL” (Residential Low Density) to “RH” (Residential High Density).
2. The City Council can deny the request for rezoning a portion of the property at 4130 Lincoln Swing.
3. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information.

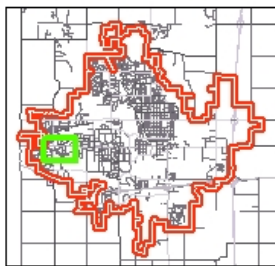
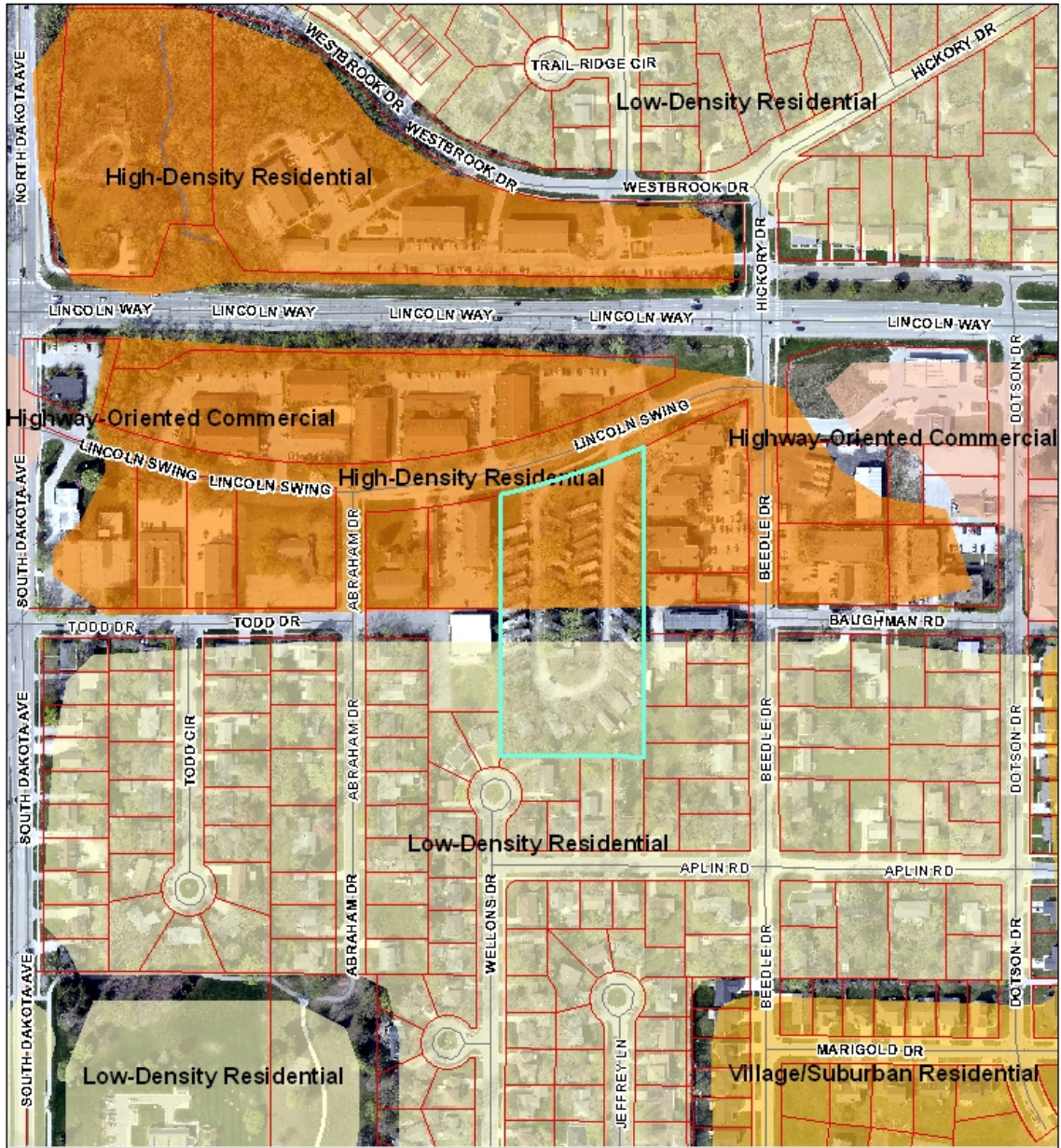
**MANAGER’S RECOMMENDED ACTION:**

A review of the Land Use Policy Plan’s future land use map indicates that both Residential High Density and Residential Low Density land uses have been contemplated for this area. The majority of properties fronting on Lincoln Swing are zoned to be in line with the Residential High Density land use classification that prevails along Lincoln Swing. There are no outstanding issues of utilities, traffic, or access that would preclude the use of this site for uses allowed in the high density district. After discussion at the last hearing the applicant has agreed to the six month notice requirement.

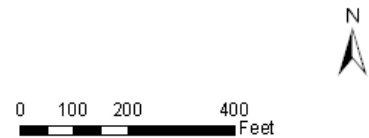
Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the request to rezone a portion of the land located at 4130 Lincoln Swing from “RL” (Residential Low Density) to “RH” (Residential High Density), with agreement that the applicant give six months notice to all tenants prior to closing of the mobile home park for redevelopment.

# Attachment A

## LUPP Future Land Use Map

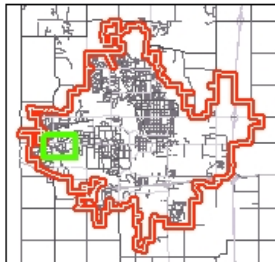
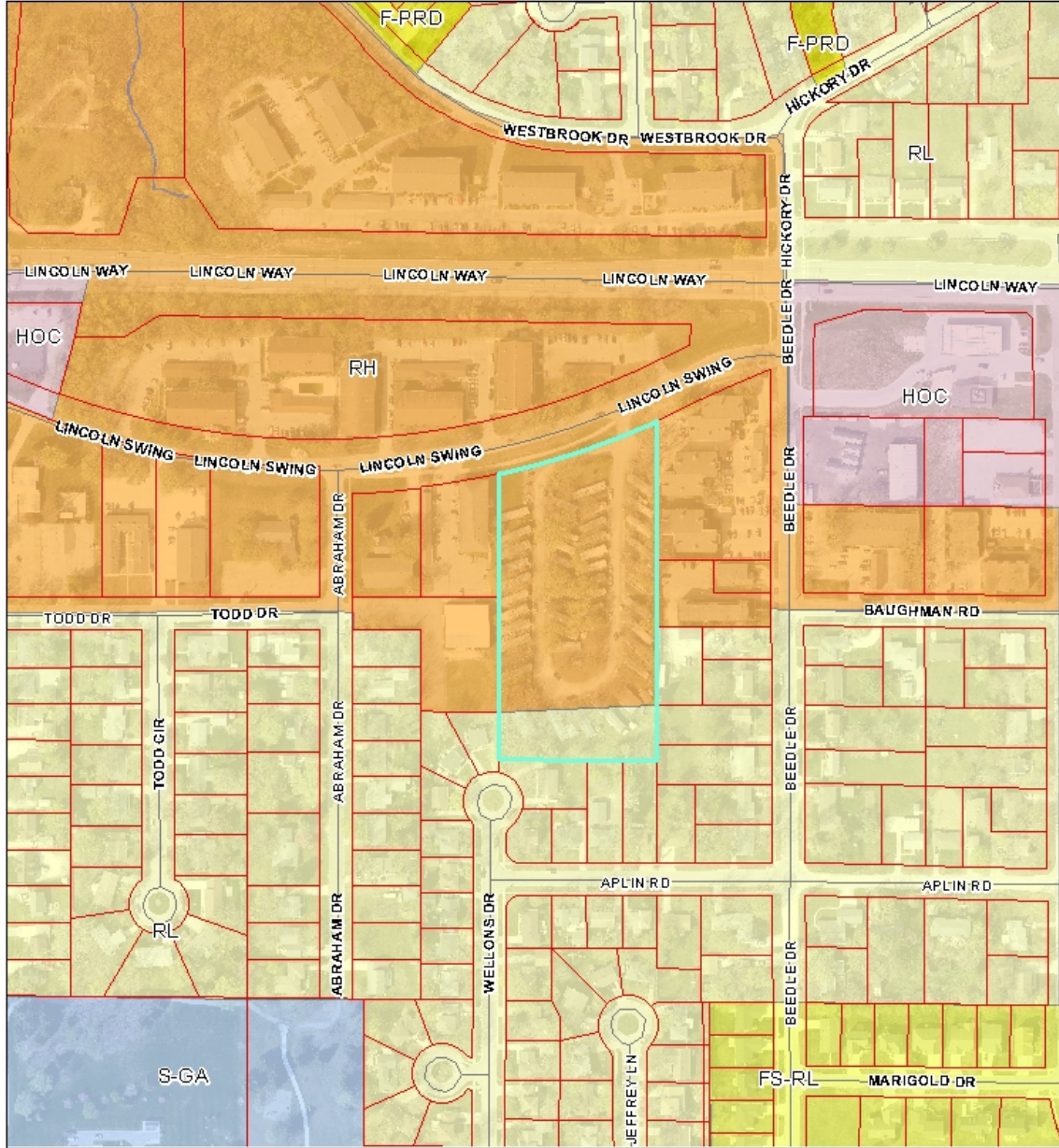


### Land Use Policy Plan Map

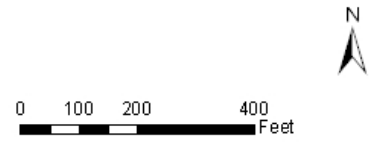


# Attachment B

## Existing Zoning

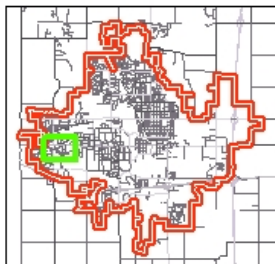
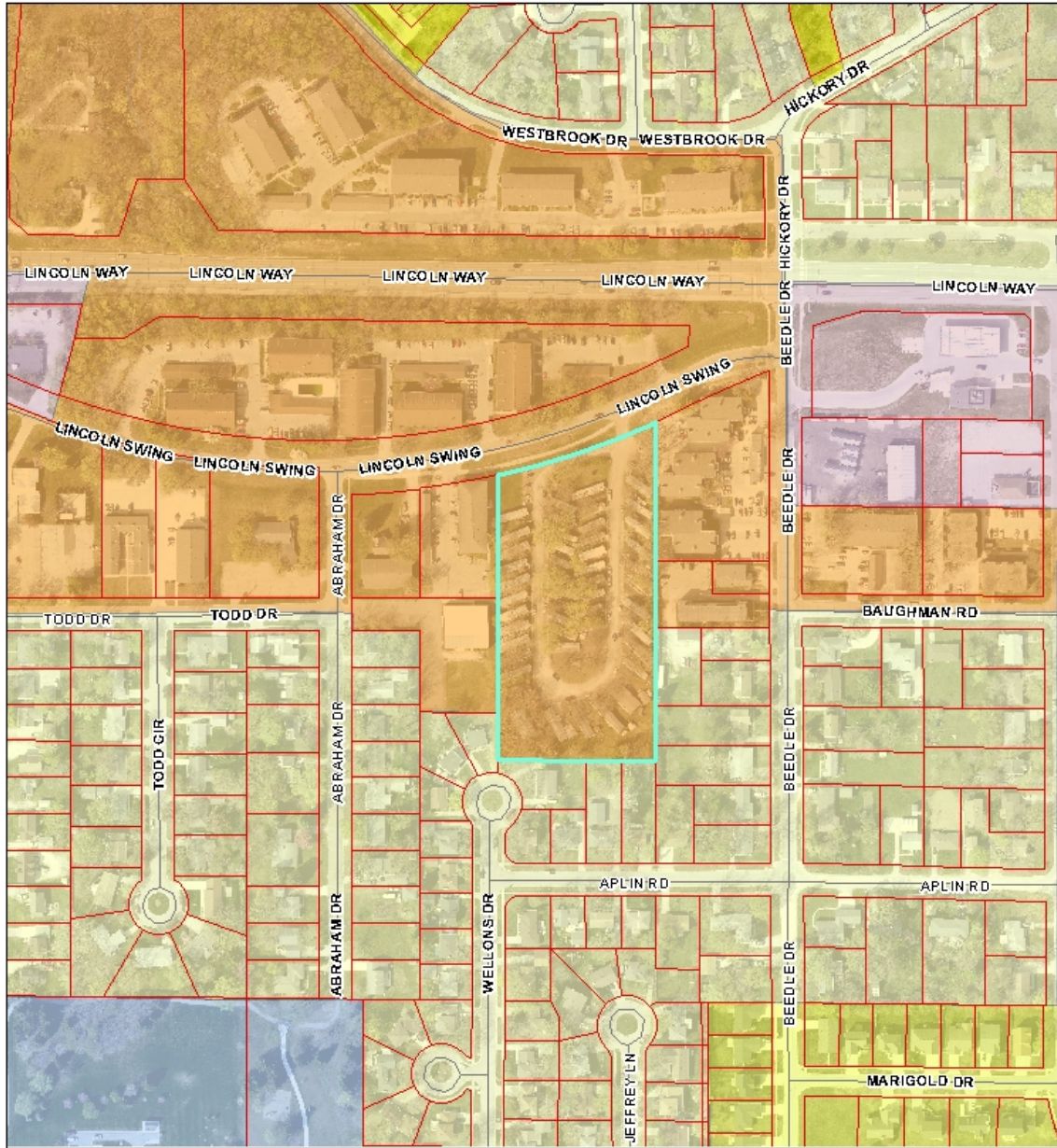


### Existing Zoning Map

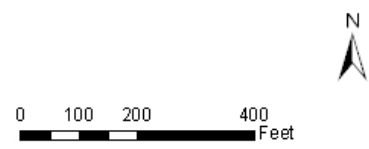


# Attachment C

## Proposed Zoning



### Proposed Zoning Map





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**DO NOT WRITE IN THE SPACE ABOVE THIS LINE; RESERVED FOR RECORDER**

Prepared by: Judy Parks, City of Ames Legal Department, 515 Clark Ave., Ames, IA 50010; 515-239-5146

Return to: Ames City Clerk, Ames City Hall, 515 Clark Ave., P.O. Box 511, Ames, IA 50010

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**AGREEMENT PERTAINING TO THE  
REZONING OF LAND IN THE CITY OF AMES**

**THIS AGREEMENT**, made and entered into this \_\_\_\_ day of July, 2013, by and between the City of Ames, Iowa (herein after called "City") and GW College Park, L.L.C. (hereinafter called "Developer"), its successors and assigns,

**WITNESSETH THAT:**

**WHEREAS**, the Developer hereto desires the improvement and development of an area depicted on Exhibit A as 4130 Lincoln Swing (collectively, the "Site"); and

**WHEREAS**, the area within the Site has two distinctly different zoning district designations pursuant to the City of Ames Municipal Code; and

**WHEREAS**, in order to facilitate future reuse of the Site, the Developer has applied to the City for rezoning of a portion of the Site, legally described as set out on Exhibit A and depicted in Exhibit A as "RL portion"; and

**WHEREAS**, an agreement has been reached between the Developer and the City with respect to certain additional conditions that are being agreed to between the parties in consideration of granting Developer's requested rezoning of a portion of this site.

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

**I.  
INTENT AND PURPOSE**

- A. It is the intent of this Agreement to:
1. Recognize that the Developer is owner of the Site which is located generally south of Lincoln Way and east of South Dakota Avenue, on

which is presently located a mobile home park, a use that is not consistent with either of its present zoning designations.

2. Acknowledge that the Developer desires to have the ability to redevelop the Site at some future time, for which a singular consistent zoning designation of the entire site is necessary.
3. That in acknowledgement of the present use of the Site, the Developer agrees that it will provide every tenant and every owner or resident of each owner-occupied residence on the Site with no less than six (6) months advance notice of the termination of their residence or lot leases, and the City, in consideration of that minimum notice being given, agrees to the rezoning of that portion of the Site which is currently designated as RL (Residential Low Density) to RH (Residential High Density).

## **II. CITY'S REMEDIES**

All ordinances, regulations and policies of the City now existing or as may hereafter be enacted, so long as they not inconsistent with the terms of this Agreement, shall apply to activity on the Site.

## **III. DEVELOPMENT PROCESS**

The Developer may, at a time of the Developer's choosing after rezoning of the Site, undertake such further design and site plan approvals as are required for the Site. Said Site planning shall be done pursuant to the procedures established by the statutes of the State of Iowa and the ordinances of the City.

## **IV. MODIFICATION OF AGREEMENT**

The parties agree that this Agreement may be modified, amended or supplemented only by written agreement of the parties.

## **V. COVENANTS RUN WITH THE LAND**

This Agreement shall run with the Site and shall be binding upon the Developers, its successors, subsequent purchasers and assigns. Each party hereto agrees to cooperate with the other in executing a Memorandum of Agreement that may be recorded in place of this document.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed effective as of the date first above written.

CITY OF AMES, IOWA

STATE OF IOWA, COUNTY OF STORY, ss:

By \_\_\_\_\_  
Ann H. Campbell, Mayor

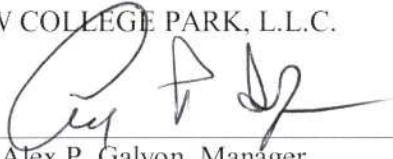
Attest \_\_\_\_\_  
Diane R. Voss, City Clerk

On this \_\_\_\_ day of \_\_\_\_\_, 2013, before me, a Notary Public in and for the State of Iowa, personally appeared Ann H. Campbell and Diane R. Voss, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Ames, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation by authority of its City Council, as contained in Resolution No. \_\_\_\_\_ adopted by the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2013; and that Ann H. Campbell and Diane R. Voss acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

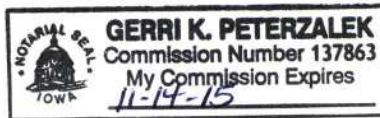
GW COLLEGE PARK, L.L.C.

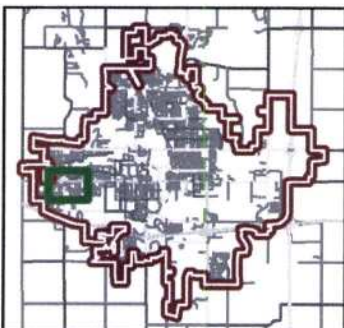
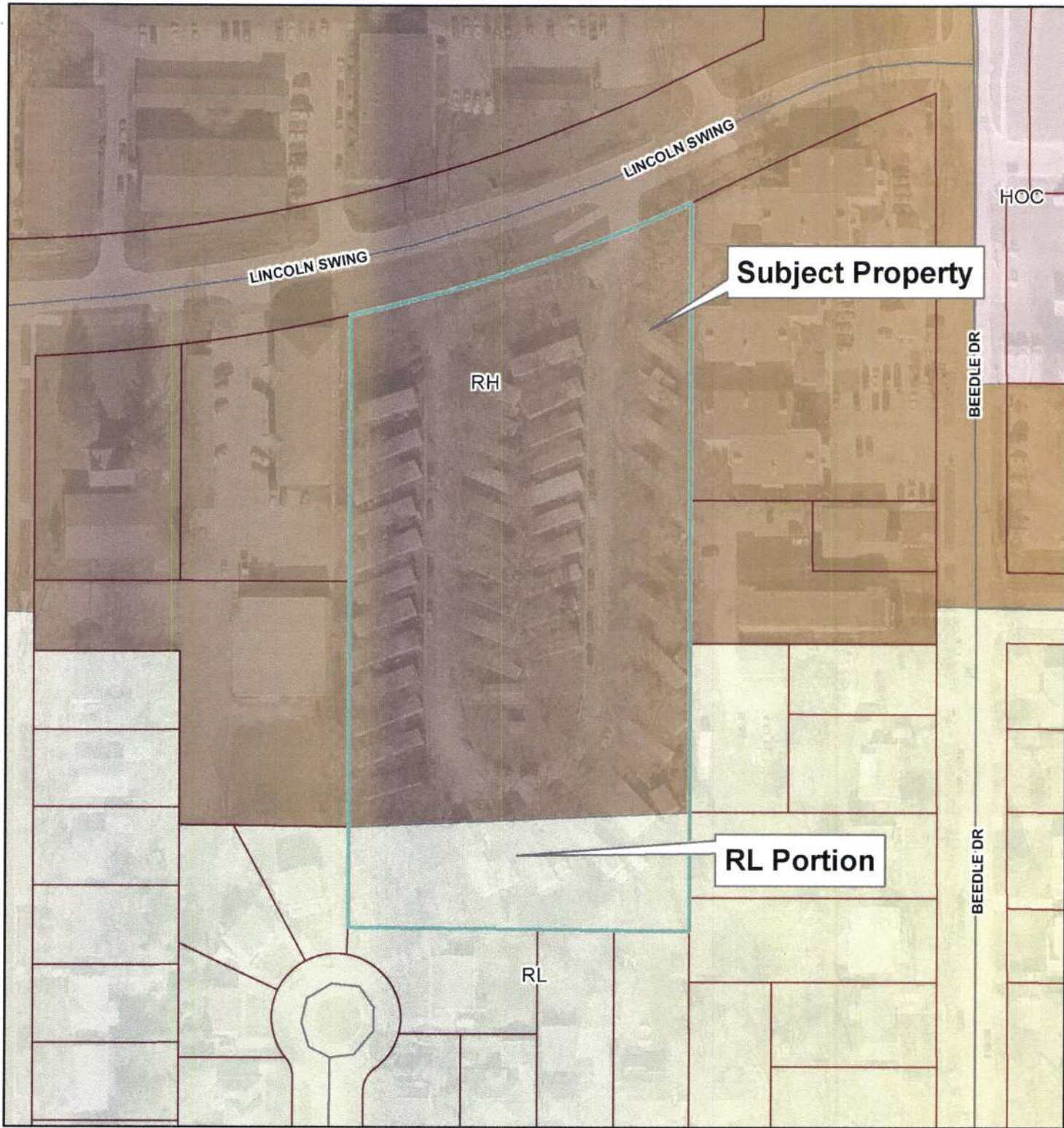
STATE OF IOWA, COUNTY OF STORY, ss:

By  \_\_\_\_\_  
Alex P. Galyon, Manager

This instrument was acknowledged before me on July 17, 2013, by Alex P. Galyon as Manager of GW College Park, L.L.C.

 \_\_\_\_\_  
Notary Public in and for the State of Iowa





# 4130 Lincoln Swing



EXHIBIT  
tabbles  
*A, p. 1 of 2*



**Exhibit A, p. 2 of 2**

**Legal Description of Area to be Zoned RL**

All that portion of the East 289.5 Feet of the East 35 Rods of the West 75 Rods of all that part of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Eight (8), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., lying South of the Center Line of Public Street known as "Lincoln Swing," in the City of Ames, Iowa, EXCEPT the South 442 Feet thereof currently zoned as RL under the City of Ames, Iowa zoning map, also described as follows:

Beginning at the Northeast Corner of Lot 6, Cochrane's 1<sup>st</sup> Addition to Ames, Iowa; thence South to the Northwest corner of Lot 5, except the East 129.5 feet, Cochrane's 1<sup>st</sup> Addition to Ames, Iowa; thence West to the Northeast corner Lot 1, Cochrane's 1<sup>st</sup> Addition to Ames, Iowa; thence North to the Northeast Corner of Lot 4, Block 4, Beedles Subdivision to Ames, Iowa; thence Southwesterly along the Northern boundary line of the RL zoning district to the point of beginning.

---

DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER  
Prepared by: Douglas R. Marek, Ames City Attorney, 515 Clark Avenue, Ames, IA 50010 Phone: 515-239-5146  
Return to: Ames City Clerk, P.O. Box 811, Ames, IA 50010 Phone: 515-239-5105

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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF AMES, IOWA, AS PROVIDED FOR IN SECTION 29.301 OF THE *MUNICIPAL CODE* OF THE CITY OF AMES, IOWA, BY CHANGING THE BOUNDARIES OF THE DISTRICTS ESTABLISHED AND SHOWN ON SAID MAP AS PROVIDED IN SECTION 29.1507 OF THE *MUNICIPAL CODE* OF THE CITY OF AMES, IOWA; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND ESTABLISHING AN EFFECTIVE DATE**

**BE IT HEREBY ORDAINED** by the City Council of the City of Ames, Iowa;

Section 1: The Official Zoning Map of the City of Ames, Iowa, as provided for in Section 29.301 of the *Municipal Code* of the City of Ames, Iowa, is amended by changing the boundaries of the districts established and shown on said Map in the manner authorized by Section 29.1507 of the *Municipal Code* of the City of Ames, Iowa, as follows: That the real estate, generally located at 4130 Lincoln Swing, is rezoned from Residential Low Density “RL” to Residential High Density “RH.”

**Real Estate Description:** All that portion of the East 289.5 Feet of the East 35 Rods of the West 75 Rods of all that part of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section Eight (8), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5<sup>th</sup> P.M., lying South of the Center Line of Public Street known as “Lincoln Swing”, in the City of Ames, Iowa, EXCEPT the South 442 Feet thereof currently zoned as “RL” under the City of Ames, Iowa, zoning map, also described as follows:

Beginning at the Northeast Corner of Lot 6, Cochrane’s 1<sup>st</sup> Addition to Ames, Iowa; thence South to the Northwest corner of Lot 5, except the East 129.5 feet, Cochrane’s 1<sup>st</sup> Addition to Ames, Iowa; thence West to the Northeast corner Lot 1, Cochrane’s 1<sup>st</sup> Addition to Ames, Iowa; thence North to the Northeast Corner of Lot 4, Block 4, Beedles Subdivision to Ames, Iowa, thence Southwesterly along the Northern boundary of the “RL” zoning district to the point of beginning.

Section 2: All other ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: This ordinance is in full force and effect from and after its adoption and publication as provided by law.

ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor

**COUNCIL ACTION FORM**

**SUBJECT: LEASE AGREEMENT FOR VEENKER GOLF COURSE MAINTENANCE BUILDING IN MOORE MEMORIAL PARK**

**BACKGROUND:**

The Board of Regents of Iowa State University entered into a lease agreement with the City of Ames to allow for the construction of a maintenance building on City of Ames property in Moore Memorial Park. The lease does not specify the permitting process that is required for this site, but it generally states that the *University agrees to comply with all applicable laws, regulations, and ordinances*, please see the attached lease that was recorded on July 19, 2012.

The City staff understands that Iowa State University construction projects which occur on land owned by the State are not subject to the requirements of the City of Ames Municipal Code, however the Veenker Golf Course maintenance building is located on City of Ames land that is leased to Iowa State University. The City Attorney was asked to clarify who is responsible for reviewing the project and determining compliance with applicable codes, as well as the responsibility for inspection of the building. The Ames City Attorney responded that the maintenance building would not be subject to the City of Ames building codes and inspections, rather the State of Iowa would conduct the review and issue the applicable permits.

As the Ames City Attorney researched the applicable party responsible for code review and inspections, it was noticed that the lease fully described the approved uses that were to occur within the maintenance building, as follows:

3. Said premises shall be used by the University solely as a golf maintenance building for Veenker Golf Course equipment and vehicles, and storage for tools, equipment, and other items necessary for the operation of Veenker Golf course and the maintenance of its grounds...

During the review process the Ames City Attorney determined that there are uses within the maintenance building that are not specified within the lease. The two offices and break room which are identified on the attached main level floor plan, are not included in the lease agreement. Although these rooms do not change the occupancy of the building, the City Attorney has stated that she would not advise the inclusion of the office and break room spaces because they are clearly outside of the terms of the lease.



Ames City staff has been in contact with Iowa State University to discuss options to accurately represent the uses that are proposed for the maintenance building and future uses that may occur.

**ALTERNATIVES:**

1. Direct staff to draft an amended lease document to clarify the proposed uses within the maintenance building and future ancillary uses.
2. Direct staff to allow the uses as proposed without amending the existing lease.
3. Terminate the lease and do not allow office and/or break room uses within the maintenance building.

**MANAGER'S RECOMMENDED ACTION:**

The office and break room uses are secondary to the primary maintenance usage of this building. The oversight of not including these uses within the lease document can be remedied, therefore it is the recommendation of the City Manager that the City Council adopt Alternative No. 1.

**This alternative will direct the City Attorney to draft an amended lease agreement to clarify the proposed uses within the maintenance building and future ancillary uses, thereby allowing continued construction of the maintenance building as proposed.**

July 18, 2013

The Honorable Ann Campbell  
Mayor, City of Ames

City Council Members

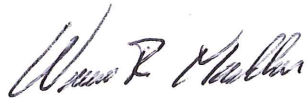
515 Clark Avenue  
Ames, IA 50010

**RE: Proposed Amendment - Veenker Golf Course Maintenance Building  
Lease Agreement**

Dear Mayor Campbell and City Council Members:

The University supports the proposed amendment to the Veenker Golf Course Maintenance Building lease agreement. The new maintenance facility will replace existing facilities currently located in the flood plain. Activities at the facility will not differ from current activities. The new building will include offices, break room space, bathrooms and a shower, all of which existed in the old building at one point prior to flood damages.

Very truly yours,



Warren R. Madden  
Senior Vice President for Business and Finance

SVK  
M  
D  
G  
R

Instrument: 2012- 00007970  
Date: Jul 19, 2012 10:47:55A  
Rec Fee: 40.00 E-Com Fee: 1.00  
Aud Fee: .00 Trans Tax: .00  
Rec Management Fee: 1.00  
Non-Standard Page Fee: .00  
Filed for record in Story County, Iowa  
Susan L. Vande Kamp, County Recorder

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DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER  
Prepared by: Steven L. Schainker, City Manager, 515 Clark, Ames, Iowa 50010 (Phone: 515-239-5101)  
Return to: Ames City Clerk, P. O. Box 811, Ames, Iowa 50010-0811

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(enu)

**CITY OF AMES  
TO THE BOARD OF REGENTS, STATE OF IOWA ACTING FOR  
IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY  
(Veenker Golf Course Maintenance Building in Moore Memorial Park)**

**THIS LEASE AGREEMENT** made this 6 day of June, 2012, between the City of Ames, Iowa, hereinafter called "City", and the Board of Regents, State of Iowa acting for the Iowa State University of Science and Technology, hereinafter called "University",

**WITNESSETH THAT:**

**WHEREAS**, the University owns and operates a eighteen-hole golf course adjacent to the City's Moore Memorial Park; and,

**WHEREAS**, this golf course is utilized by the citizens of Ames as well as the students, faculty, and staff of the University; and,

**WHEREAS**, the current location of the maintenance building for this golf course is in an area of the flood plain that continually floods thus causing the closure of the course and the discontinuation of play for Ames residents; and,

**WHEREAS**, relocating the golf maintenance building to higher ground on Moore Memorial Park may result in more playable hours for Ames residents; and

**WHEREAS**, the relocated golf maintenance building will house City equipment and supplies that serve the operational needs of Moore Memorial Park;

**NOW, THEREFORE**, in consideration of the premises, the City does hereby agree to lease to the University a site consisting of approximately 17,000 square feet (land area) which includes a building of approximately 5,000 square feet located generally in the southwest corner

of Moore Memorial Park in Story County, Iowa, and more particularly described in the attached Exhibit I.

1. The term of this lease agreement shall be fifty (50) years, commencing on the 1st day of May, 2012, and ending at midnight on the 31st day of March, 2062, unless earlier terminated by mutual agreement of the parties or as set forth in Paragraph 10 of this Lease Agreement. In recognition that the University might want to make additional improvements on the leased site in the future that will require time to depreciate, it is agreed that the University may request, and the City may grant, extensions to this Lease Agreement term at any time.

2. There shall be no money payments due or owing the City under this Lease Agreement. The full, complete, and satisfactory consideration for this Lease Agreement shall be and is the promise hereby made by the University to:

a. Maintain the leased premises at the University's expense in at least the same condition as the surrounding park property.

b. If a basement is constructed as part of the golf maintenance building, the public will be allowed access to this portion of the building as a shelter during City of Ames-declared severe weather warnings.

c. Assist with Moore Memorial Park operations by allowing the Ames Parks and Recreation Department to store park maintenance equipment and supplies in the golf maintenance building.

3. Said premises shall be used by the University solely as a golf maintenance building for Veenker Golf Course equipment and vehicles, and storage for tools, equipment, and other items necessary for the operation of Veenker Golf Course and the maintenance of its grounds. However, the outdoor storage of equipment, vehicles, tools, and other items associated with the above use shall not be permitted on the leased area, unless agreed upon in advance by the City and the University in writing.

4. The University is authorized to make all of the improvements, at its expense, on the leased site as generally shown on the conceptual plan attached as Exhibit II.

5. Following the completion of the initial construction project as described in Paragraph 4, the University may also make other improvements on the site that are consistent with the purposes set forth in Paragraph 3 of this lease agreement after obtaining the City's approval. The approval of the City for additional improvements shall not be unreasonably withheld.

6. The University may grade said real estate and install, at its expense, telephone lines and utilities necessary for the development of the golf maintenance building. In addition, the University shall pay all charges for the use of utilities, telephone lines, and services furnished to the leased premises.

7. The University shall, after taking possession of said premises and until the termination of this Lease Agreement, care for and maintain said premises in a reasonably safe and serviceable condition consistent with other University facilities. The University will not

knowingly permit or allow the leased site to be damaged or depreciated in value by any dumping of refuse, discharge of hazardous waste or any act of the University, its agents or employees. The University shall do what is reasonably necessary to control soil erosion resulting from the University's use of the leased site, including maintenance and preservation of existing watercourses and waterways. The University agrees to comply with all applicable laws, regulations, and ordinances. The University agrees that it will pay for or cause to be paid all costs for work done by it or caused to be done by it on the leased premises, and the University will keep the leased premises free and clear of all mechanic's liens or claims relating to the University's public improvements and other liens on account of work done for the University. The University agrees that it shall be primarily responsible for providing emergency services on the leased site. However, nothing herein shall contravene any existing 28E Agreements between the parties.

8. The University does hereby covenant and agree to indemnify and hold harmless the City, its officers and employees, against any loss or liability whatsoever, including reasonable attorney's fees, pertaining to any and all claims by any and all persons, resulting from or arising out of the University's construction, location, operation and maintenance of said leased area.

9. At the end of the term of the Lease Agreement, the University will remove all facilities, equipment, improvements, and personal property from the leased premises and return the leased premises to a safe, open green space, unless otherwise agreed to in writing by the parties. The Parties agree to meet and determine a reasonable schedule for the removal of facilities and return of the premises to open green space. However, if the University makes a request in writing to extend the term of the Lease Agreement for purposes consistent with Paragraph 3, and such request is made in the period beginning three years prior and ending no later than one year prior to the end of the fifty year term of the Lease Agreement (or any mutually agreed modification of the term), and the City denies the request, then the obligation to remove all improvements will be based on mutually satisfactory terms agreed to by the parties in writing.

Upon termination of the lease the University agrees to remove any hazardous materials that are deposited by the University or deposited as a result of University sponsored activities on the site during the term of the agreement.

10. This Lease Agreement is granted and all rights hereunder shall endure except that if one or more of the following events occurs the City may terminate the Lease Agreement following the procedures indicated in this Paragraph:

a. The University fails to begin construction of the improvements described in Paragraph 4 within two years from the commencement of this Lease Agreement.

b. The University uses the leased premises for purposes other than stated in Paragraph 3.

c. The University breaches a material term of this Lease Agreement and such breach is serious and goes to the essence of the transaction. A breach is serious and goes against the essence of the transaction only in the following cases:

i. The University has breached a term of this Lease Agreement and such breach has caused or is reasonably expected to cause damages in excess of

\$500,000, such amount to be adjusted annually each July 1 for inflation using the Department of Labor's Consumer Price Index-Urban [CPI-U, All Items, All City Average, 1982-84-100] issued in the preceding month;

- ii. The University has repeatedly breached a material term of this Lease Agreement within any two-year period, or the University has engaged in a pattern of material breaches of this Lease Agreement; provided, however, this clause may only apply where the University's breaches indicate deliberate indifference to the terms of this Lease Agreement.

For termination pursuant to Subparagraph 10(a), the City shall give at least 60 days advance written notice, and termination shall be automatic at the end of the 60 day notice period. For termination pursuant to Subparagraphs 10(b) and 10(c), the City shall notify the University in writing of its intent to terminate and the nature of the event or breach the City believes has occurred and shall provide the University with a reasonable period commensurate with the nature of the event or breach to cure such event or breach. If the University fails to cure such event or breach by the end of the cure period, the City shall give at least 30 days advance written notice, and termination shall be automatic at the end of the 30 day notice period.

11. This Lease Agreement may not be assigned by the University without the advance, written consent of the City of Ames.

IN WITNESS THEREOF the parties hereto have caused this lease to be signed by their duly authorized representatives as of the date first above written.

**IOWA STATE UNIVERSITY OF  
SCIENCE AND TECHNOLOGY**

By: Warren R. Madden  
Warren Madden  
Vice President for Business and Finance

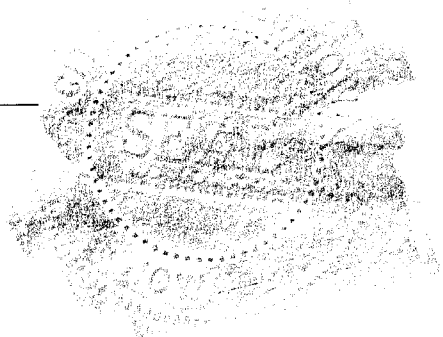
**BOARD OF REGENTS, STATE OF IOWA**

By: Robert Donley  
Robert Donley  
Executive Director

**CITY OF AMES, IOWA**

By: Ann H. Campbell  
Ann H. Campbell  
Mayor

By: Diane R. Voss  
Diane R. Voss  
City Clerk



**Exhibit I**

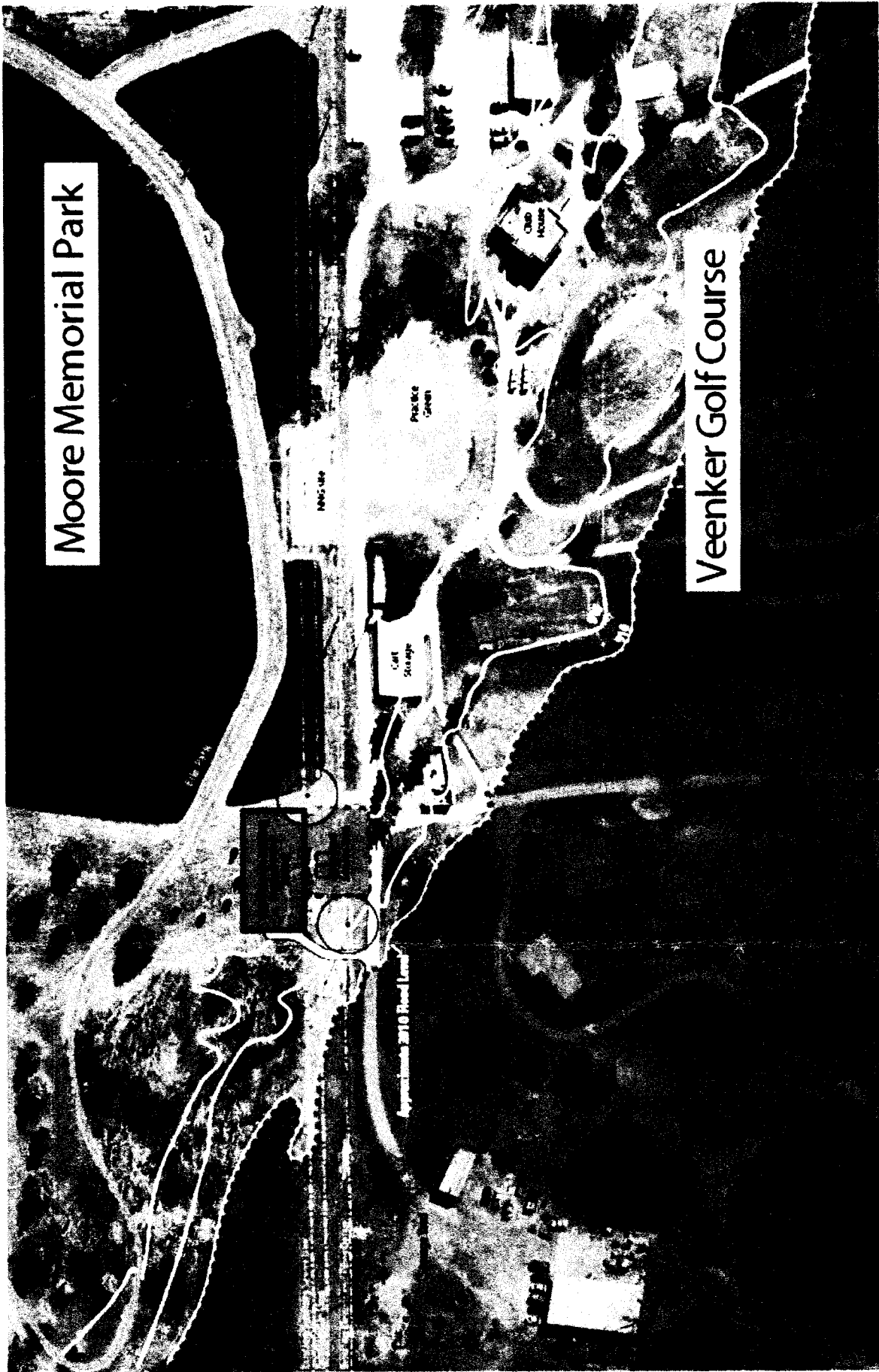


Exhibit II





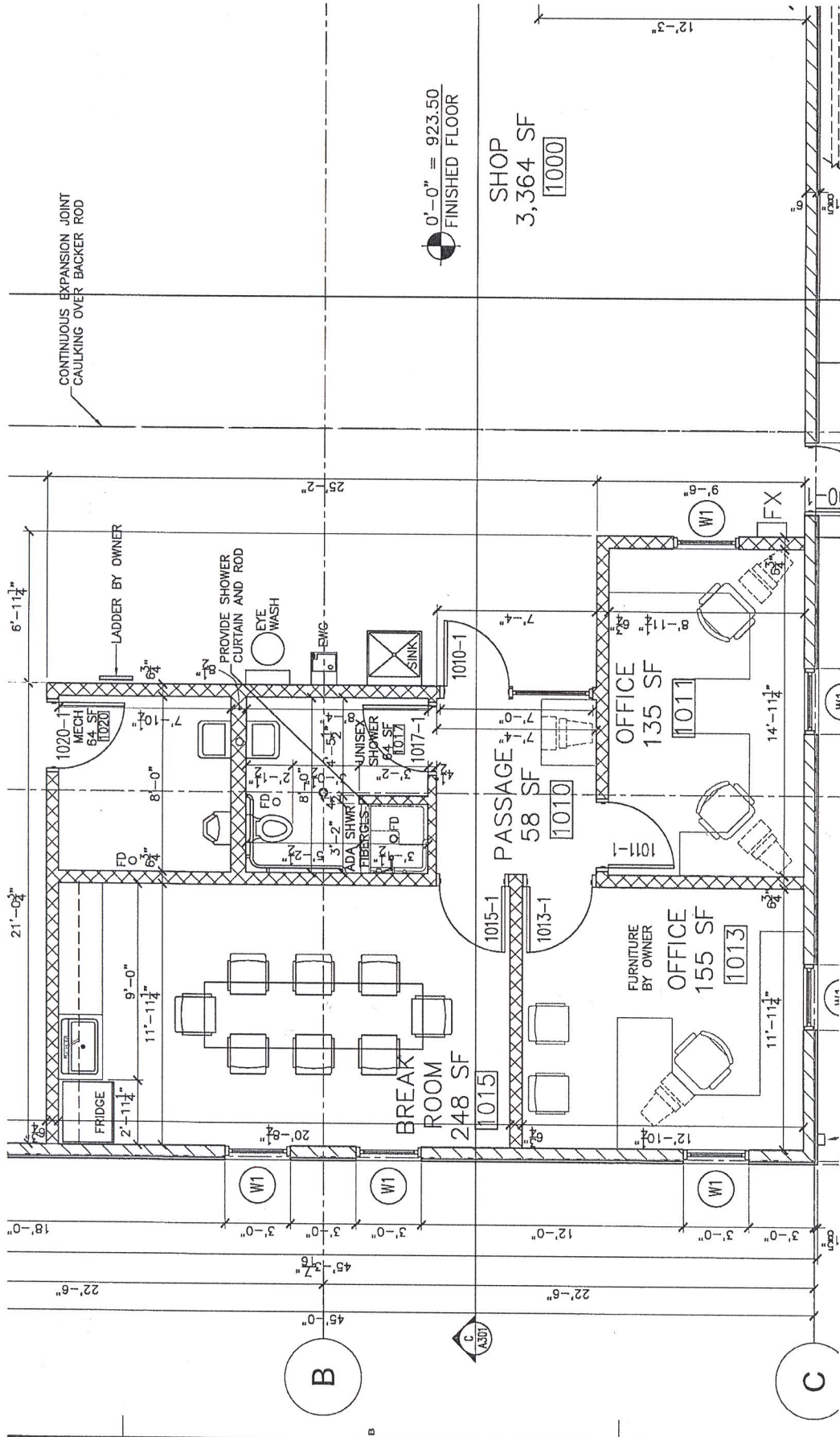
Exhibit IIA



Exhibit IIB







**COUNCIL ACTION FORM**

**SUBJECT:**                   **2014/2015 ASSET PRIORITIES**

**BACKGROUND:**

The City's ASSET Priorities as adopted by the City Council for 2013/14 are (from higher to lower priority):

- Emphasis on assistance to low and moderate income families
- Meeting basic needs
- Crisis intervention
- Prevention
- Transportation

In preparation for the 2014/15 funding cycle, the City's ASSET volunteers met in May and early June to discuss the priorities (listed above) and to review data to develop an understanding of needs in the community. The volunteers' recommended changes to the priorities were presented to the City Council on July 9, 2013. The Council discussion at the meeting provided a few recommended changes for the volunteers to consider. The volunteers reviewed the recommendations made by the City Council and suggested the changes as presented below:

**Recommendations for 2014/2015 Priorities**

**#1 Meet basic needs, with emphasis on low to moderate income:**

- Housing cost offset programs, including **utility assistance**
- **Sheltering**
- Quality childcare cost offset programs, including daycare and State of Iowa licensed in home facilities
- Food cost offset programs, to assist in providing nutritious perishables and staples
- Transportation cost offset programs for the elderly and families
- **Legal assistance**
- **Disaster response**

**#2 Meet mental health and chemical dependency needs**

- Provide outpatient emergency access to services
- Provide crisis intervention services
- Provide access to non-emergency services
- Ensure substance abuse preventions and treatment is available in the community

### **#3 Youth development services and activities**

The volunteers also noted that the City Council had identified youth in its goals as being a priority to help strengthen the community.

### **#4 Removed - related to awareness funding assistance**

The volunteers have also developed a consensus to remove # 4 related to awareness of services. The volunteers appreciated and understood the concerns that were raised by City Council on July 9th regarding the importance of using ASSET dollars to provide services.

**The volunteers recognize that the changes to the priorities are not significantly different from prior years, given the constraints of data to make more targeted recommendations. Volunteers have been encouraged to discuss these concerns about data availability at the August 15, 2013 ASSET meeting and to request that ASSET consider ways to provide the data that is necessary to answer questions about needs.**

The ASSET funding process will begin on August 28, 2013 for 2014/15. ASSET volunteers will then begin their agency visits to discuss services and gather information in preparation for the hearings and work sessions in January, 2014.

### **ALTERNATIVES:**

1. Approve the ASSET priorities as presented above for 2014/15.
2. Do not change the priorities and approve the existing priorities.
3. Make further modifications to the priorities presented above.

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

ASSET volunteers have reviewed the community needs and have responded to the City Council's requested changes. They are seeking approval of the recommendations as provided above.

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

## Staff Report

**2012 CARBON FOOTPRINT UPDATE**

July 23, 2013

**BACKGROUND:**

The City Council has adopted a goal of reducing CO<sub>2</sub> from City operations by 15% from their average 2001-2006 levels by the year 2014. City staff measures electrical and natural gas consumption in City facilities (excluding utilities), gasoline and diesel consumption versus miles in the CyRide Fleet and the non-CyRide Fleet of vehicles, and electrical and natural gas consumption of parks, streetlights, traffic signals, and other miscellaneous sites.

**BUILDING SECTOR:**

The City has almost achieved its carbon reduction goal in the Building Sector. Due to its renovation, the Library has been removed from our analysis and our baseline. The remaining facilities are evaluated on electrical and natural gas consumption. Their figures are then adjusted based on square footage changes and on degree days. The goal is that as facilities expand, their carbon intensity on a square footage basis is reduced. The degree day adjustment eliminates energy changes due to seasonal weather changes.

<b>Natural Gas Used - Therms, Adjusted for Degree Days and Bldg. Size</b>						
<b>Building or Department</b>	<b>BASELINE</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Airport						
Animal Shelter	3,737	3,168	2,812	2,715	2,502	2,073
Cemetery	1,810	1,703	1,615	1,417	1,639	1,319
City Hall	2,708	2,257	1,843	1,694	1,704	3,058
Cy-Ride	28,617	20,236	19,548	17,268	19,459	13,600
Electric Administration						
Electric Distribution						
Fire Station 1	7,783	6,715	6,239	5,746	5,346	4,193
Fire Station 2	2,688	2,680	2,552	2,318	2,188	1,890
Fire Station 3	6,496	7,499	6,367	6,518	5,437	5,120
Golf Course	1,375	1,731	1,741	1,352	1,465	1,332
Ice Arena	25,749	25,610	25,912	23,021	24,232	23,591
Information Services	674	-	198	674	579	438
Maintenance Facility	19,017	15,532	14,064	13,748	13,789	9,633
Parks Maintenance	1,577	1,892	1,762	1,726	1,729	1,187
Parks Office	2,868	3,105	2,940	2,905	3,039	2,100
<b>TOTAL BLDG. SECTOR</b>	<b>105,100</b>	<b>92,127</b>	<b>87,594</b>	<b>81,103</b>	<b>83,108</b>	<b>69,534</b>

(Note: Buildings/years shaded green have greater than a 15% decrease from baseline level. Buildings/years shaded red have greater than a 15% increase from baseline level)

**Adjusted natural gas consumption is down 33.8% in 2012 (69,534 therms in 2012 vs. 105,100 therms baseline).** This is a substantial reduction. However, because natural gas is much less carbon-intensive than electricity, this decrease equates to only a small reduction in the City's overall carbon footprint. **On a cost basis, the City's 2012 natural gas bill was nearly half what it was in 2007 (\$60,000 savings).**

Electricity Used - kWh, Adjusted for Degree Days and Bldg. Size						
Building or Department	BASELINE	2008	2009	2010	2011	2012
Airport	24,675	18,631	15,794	12,055	14,177	17,566
Animal Shelter	33,917	25,501	25,973	26,424	24,654	28,819
Cemetery	11,116	12,068	11,776	12,706	11,410	11,464
City Hall	2,110,237	1,910,480	2,049,903	1,914,982	1,834,057	1,544,035
Cy-Ride	367,352	364,360	430,803	459,434	458,197	465,788
Electric Administration	66,226	70,453	72,038	69,529	66,615	67,060
Electric Distribution	342,743	321,072	330,585	330,245	386,941	342,714
Fire Station 1	182,448	104,048	116,919	109,302	105,197	123,275
Fire Station 2	57,932	48,331	51,788	52,388	46,075	56,427
Fire Station 3	86,149	89,620	84,080	83,152	79,431	87,297
Golf Course	21,516	20,068	21,010	20,888	22,580	24,540
Ice Arena	1,116,920	962,464	1,062,293	949,514	1,033,111	1,203,354
Information Services	29,670	22,445	23,946	19,143	18,977	21,312
Maintenance Facility	177,556	190,959	190,787	175,299	153,000	175,494
Parks Maintenance	14,972	14,770	20,019	17,785	21,591	25,262
Parks Office	59,279	44,817	43,402	38,274	35,607	39,726
<b>TOTAL BLDG. SECTOR</b>	<b>4,702,707</b>	<b>4,220,089</b>	<b>4,551,116</b>	<b>4,291,120</b>	<b>4,311,621</b>	<b>4,234,132</b>

(Note: Buildings/years shaded **green** have greater than a 15% decrease from baseline level. Buildings/years shaded **red** have greater than a 15% increase from baseline level)

**Adjusted electrical consumption is down 10.0% in 2012 (4,234,132 kWh in 2012 vs. 4,702,707 kWh baseline).**

Because electrical consumption is much more carbon intensive than natural gas consumption, the changes in CO2 output closely mirror the electrical consumption in each building. **Combined and converted to tons of CO2, the Building Sector CO2 is down 13.1% in 2012 (3,902 tons in 2012 vs. 4,488 tons baseline).**



CO2 Emissions - Tons, Adjusted for Degree Days and Bldg. Size						
Building or Department	BASELINE	2008	2009	2010	2011	2012
Airport	20	15	13	10	12	14
Animal Shelter	51	40	39	38	36	36
Cemetery	20	20	20	19	19	18
City Hall	1,747	1,581	1,692	1,581	1,514	1,285
Cy-Ride	466	424	474	483	496	466
Electric Administration	54	58	59	57	55	55
Electric Distribution	281	263	271	271	317	281
Fire Station 1	198	127	134	125	119	127
Fire Station 2	64	56	58	57	51	58
Fire Station 3	111	120	108	108	99	103
Golf Course	26	27	28	25	28	28
Ice Arena	1,073	947	1,031	921	997	1,133
Information Services	24	18	21	20	19	20
Maintenance Facility	263	253	243	229	211	203
Parks Maintenance	22	24	27	25	28	28
Parks Office	66	56	54	49	48	46
<b>TOTAL BLDG. SECTOR</b>	<b>4,488</b>	<b>4,030</b>	<b>4,273</b>	<b>4,020</b>	<b>4,049</b>	<b>3,902</b>

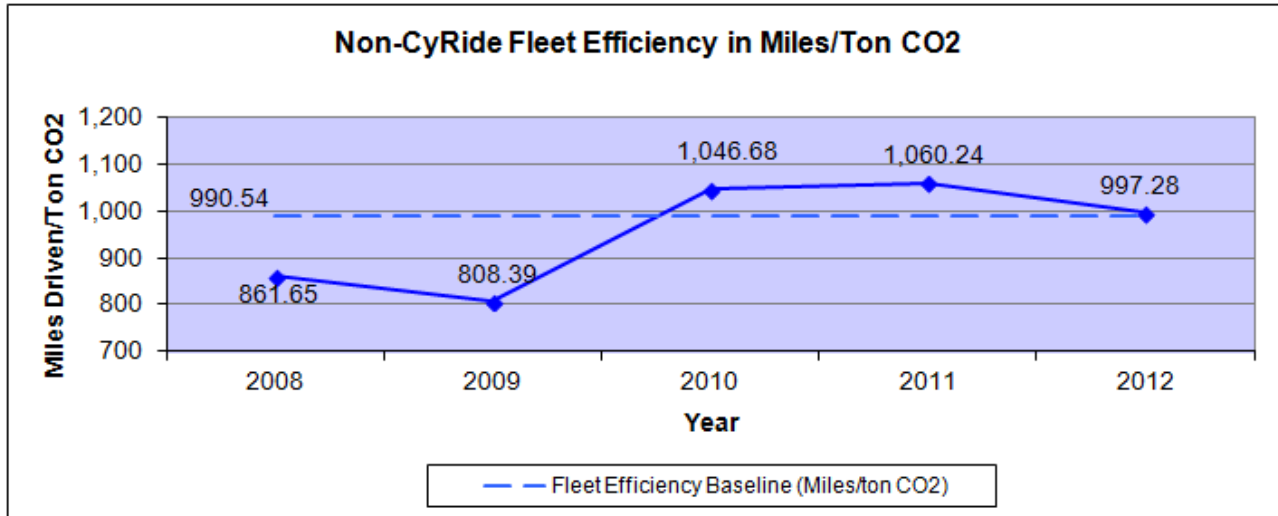
(Note: Buildings/years shaded green have greater than a 15% decrease from baseline level. Buildings/years shaded red have greater than a 15% increase from baseline level)

## FLEET SECTOR:

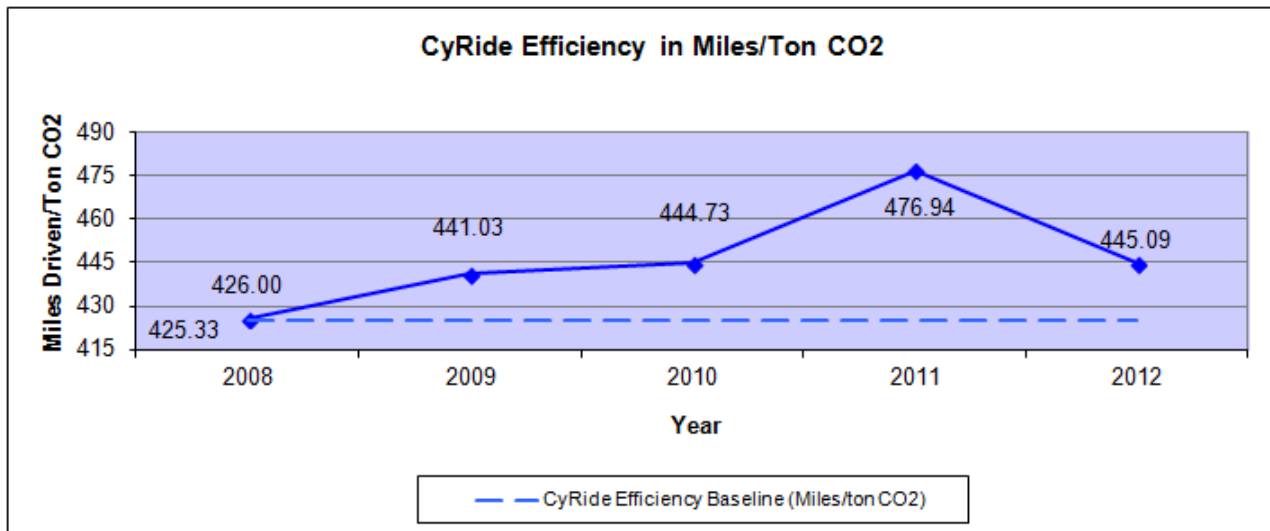
The Fleet Sector continues to see increased demand as the City grows. CyRide ridership records new highs each year, and the miles driven by both the CyRide and non-CyRide fleets in 2012 was the second-highest ever.

This sector is measured by considering CO2 from gasoline and diesel (pure ethanol is considered by international convention to be zero carbon at the tailpipe and thus does not count towards emissions). The CO2 is compared to the miles driven to determine a miles per ton of CO2 efficiency ratio. This efficiency is measured from year to year rather than the overall change in CO2 in the Fleet Sector.

**Total non-CyRide Fleet emissions are up 11.7% this year to 1,871 tons of CO2 (compared to a baseline of 1,675).** However, since the number of miles driven is also higher, **the non-CyRide Fleet is 0.7% more efficient than its baseline.** This is a reduction from the peak efficiency seen in 2011. The milder winter in 2012 helped reduce CO2 related to snow plowing. However, technical problems caused the police car fleet (which consumes considerable amounts of fuel) to be unable to use E85 fuel. The carbon output of the fleet was higher as those cars were on a more carbon-intensive fuel for the year. However, the newly ordered police cars should be able to use E85 in the future.

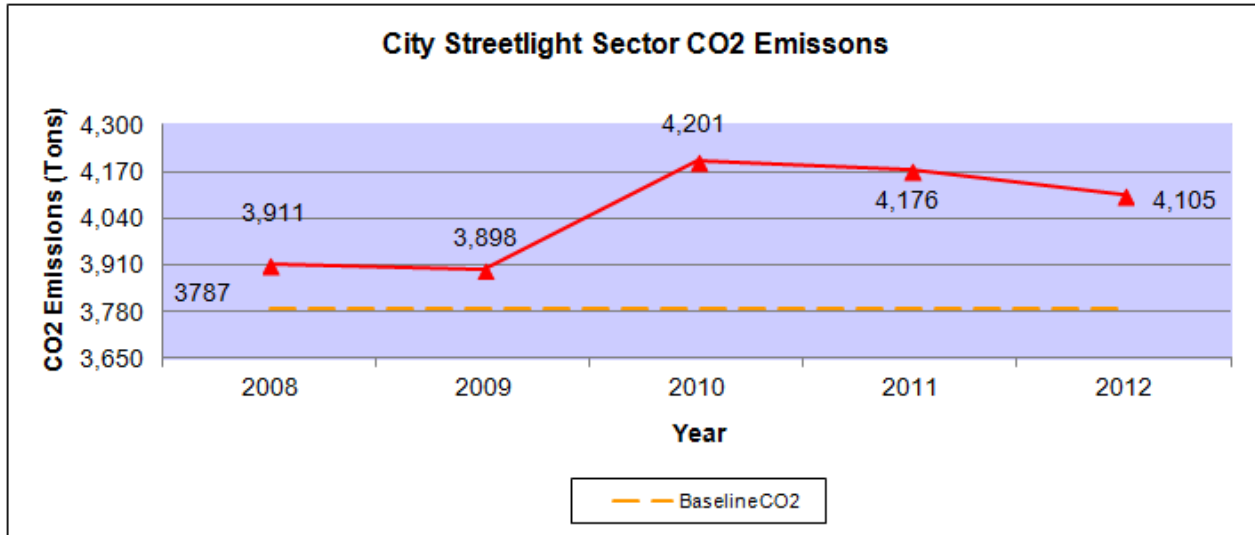


CyRide’s increase in gas-powered vehicle miles and fuel consumption leveled off in 2012. Although diesel miles remain stable, diesel use increased by about 25,000 gallons, leading to a poorer diesel MPG this year. **Total CyRide emissions are up 14.7% this year to 3,192 tons of CO2 (compared to a baseline of 2,783).** However, **CyRide’s efficiency is 4.7% better than its baseline.** It should also be noted that CyRide’s ridership was 5,802,131 in 2012, or 39% greater than its baseline average.



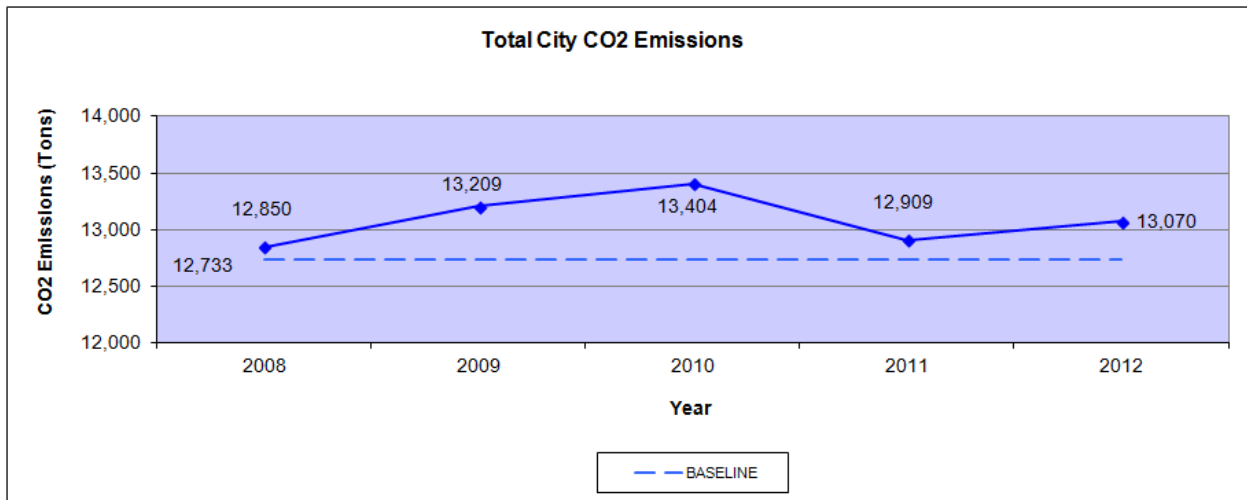
#### **STREETLIGHT SECTOR:**

This sector contains the City’s miscellaneous energy consumers: sirens, bookmobile sites, parks, traffic signals, streetlights, and the aquatic center. As the City grows, this sector continues to contribute a greater amount to our carbon footprint. While the larger bump seen in 2010 is attributable to the opening of the aquatic center, the steady growth in this sector can primarily be attributed to increased street lighting infrastructure as the City grows. **The Streetlight Sector is up 318 tons of CO2, or 8.4% compared to the baseline.**



#### TOTAL CITY EMISSIONS:

In total, the CO2 emissions attributed to City operations continue to increase, primarily due to increases in the streetlight sector.



#### NOTABLE PROJECTS IN 2012:

City staff has continued to work at reducing energy consumption and cost. In 2012, staff installed lower-consumption fluorescent lights in City Hall, the Parks Office, the Parks Maintenance building, and the Animal Shelter (the Parks Office and Maintenance projects were funded 50% through a state grant). The Resource Recovery System received new LED lighting throughout the building (funded 50% through a state grant).

The Animal Shelter received two new air conditioning units and a water heater. Fire Station 1 received two new on-demand water heaters to replace a failing standard water heater. The Electric Distribution facility had three of its four heat pumps replaced with energy efficient models (funded 50% through a state grant). In late 2012, the 20-year old

cooling units for the City Hall computer server room were replaced with new energy-efficient models.

An energy study of the Ames/ISU Ice Arena was completed in 2012, and the City Council has authorized a series of projects to improve the efficiency of this space. Most of these projects are scheduled for FY 2013/14.

Finally, in 2012 staff retained a consultant to develop an energy management plan. This plan will help the City transition from installing new energy-efficient equipment to using that equipment in the most efficient ways possible. The plan will develop energy conservation procedures for all City facilities, and address ways to best use the unique equipment in specialized facilities. The result will be an energy consumption reduction while maintaining the level of service the City's customers expect and deserve.

#### **NEXT STEPS:**

The current year (2013) and 2014 are the last opportunities the City has to meet the goal of reducing the City's carbon footprint 15% by 2014. The equipment and mindset being developed for City facilities has kept the facilities on track to meet that goal. However, there remains work to be done in the City's fleets and in the streetlight sector.

Even with new police cars capable of using E85, the efficiency of the fleet must be increased to reach a 15% improvement over our baseline. This can be done by choosing vehicles that are flex fuel capable, have better fuel economy, or improving the manner in which the vehicles are used.

The streetlight sector's carbon output increases as the City grows. The primary driver of CO<sub>2</sub> output and energy consumption is the streetlights. As the City gets larger, more streetlights are added. As less efficient mercury vapor lamps burn out, they are replaced by more efficient high pressure sodium lamps. Electric staff is also evaluating the feasibility of using standard LED fixtures in new street lighting installations. While these reduce energy consumption, a more aggressive plan to convert less efficient lights to LED lighting will likely be necessary to stem the energy increase in street lighting. However, the City Council might determine that the impact on the City's electric rates to accomplish this more aggressive replacement plan is prohibitive.

## Staff Report

**City WiFi Service**

July 23, 2013

The July 9, 2013 City Council meeting included a Staff Report regarding the City-provided public WiFi service. At this meeting, the City Council requested additional information related to the four outdoor pilot project locations. The locations include:

**Pilot Outdoor Locations**

Brookside Park

Campustown Court

Hunziker Youth Sports Complex

Tom Evans Plaza

The following information is being provided in response to this request:

- ***What will be the disposition of the infrastructure if the service is terminated?***

The City owns the endpoint equipment and if the Council chooses, we could simply turn off the service and leave the equipment in place for some period of time. The service could be restarted if desired without purchase of new endpoint equipment, though the equipment is now five years old, is operating in a harsh environment, and will likely need to be replaced in the near future if we continue the service.

- ***What is the cost of eliminating two locations and maintaining the other two?***

The current contract includes a fixed cost of \$1,200 per year and a variable cost of \$750 per location. If the service is continued, we will need to renew the contract. The rates may vary, but will likely be similar.

There was a question about the cost of maintaining the Campustown Court and Tom Evans Plaza locations; under our current contract, the cost would be \$2,700 per year.

**CITY COUNCIL DIRECTION SOUGHT**

As you will recall from the previous report which is attached, the staff is seeking Council direction regarding the continuation of the City-provided public WiFi service.

Staff Report

**City WIFI SERVICE**

July 9, 2013

The November 27, 2012 City Council budget guidelines discussion included a suggestion for review of the public WiFi system, specifically a review of service for outdoor locations. City staff noted that the current contract for the service would expire August 2013, and would continue on a month-to-month basis after the expiration. Staff stated that the service would be reviewed.

**Background**

The FY 2006/07 budget included a City Council goal to “Facilitate One Community Through Both Physical And Relationship Connections” which included a city-wide WiFi feasibility study. The study was completed in 2007 and based on the results of the study, Council chose to implement a pilot project that included installation of a series of WiFi hotspots, funded by the City and offered to the public free of charge.

Potential WiFi hotspot locations were selected based on existing City infrastructure and a review of expected public use in different locations. In order to prioritize locations, the following evaluation ranking was used:

**Priority    Description**

- A    WiFi supports benefits beyond public access
- B    Year round traffic, facilities sufficient to allow for laptop use
- C    Seasonal traffic, facilities sufficient to allow for laptop use
- D    Seasonal traffic, facilities might be sufficient to allow for laptop use

<b><u>Location</u></b>	<b><u>Priority</u></b>	<b><u>Location</u></b>	<b><u>Priority</u></b>
Campustown Court	A	Tom Evans Plaza	B
City Hall	A	Ada Hayden Heritage Park	C
Community Center	A	Ames Youth Sports Complex	C
Brookside Park	B	Bandshell Park	C
Country Gables Park	B	Emma McCarthy Lee Park	C
Furman Aquatic Center	B	Moore Memorial Park	C
Ice Arena	B	Daley Park and Greenbelt	D

**Staff recommended the implementation of WiFi hotspots in locations with existing or planned City network infrastructure and in four pilot outdoor locations. The City-managed locations were primarily indoor locations used year round, had large public use, or would test the technology. The pilot outdoor locations were a test of the feasibility and public utilization of WiFi hot spots before consideration of expanding the number of hot spots.**

Locations chosen for the project included the following:

**Pilot Outdoor Locations**

- Brookside Park
- Campustown Court
- Hunziker Youth Sports Complex
- Tom Evans Plaza

**City Managed Locations**

- City Hall
- Community Center
- Furman Aquatic Center
- Ice Arena
- Municipal Pool

Additionally, it was determined that locations with existing or planned City network infrastructure would be installed and managed by the City. Through the Request for Proposal (RFP) process, Council approved entering into a contract with an Ames based company, ICS Technologies, to install, maintain, and operate the pilot outdoor locations.

**Current Status**

The pilot outdoor location sites were installed and operational by the winter of 2008. The first widespread advertising of the availability of WiFi was completed with the distribution of the 2009 Spring/Summer Parks and Recreation Guide. A standard logo to identify City WiFi was developed, included in the Parks and Recreation Guide, and posted at each hotspot site. In addition to providing reports to the media on the new service, the City held a “Wire-Cutting Celebration” on May 28, 2009 to provide additional public notice.

The City-managed locations were installed and operational in the fall of 2009 and are managed by City staff. The wiring and access points for these hotspots serve both City staff and the public.

All locations have operated with minimal problems with two exceptions. When trees at Brookside Park become fully leafed, there are interference problems with the WiFi nodes. Electrical problems have also occurred as breakers are turned on and off for various lighting systems in the park. The Information Technology Division worked with ICS and identified a solution that resolved the leaf issue, but periodic electrical problems still occur.

The chart below provides information on use of the system by the public:

Location	Individual Logins			Unique Users		
	Average Monthly	Total 2012	Change From 2011	Average Monthly	Total 2012	Change From 2011
City Managed	2,495	29,939	41%	496	5,633	29%
Campustown	499	5,985	-33%	75	899	-38%
Tom Evans	421	5,047	-50%	82	982	-15%
Hunziker YSC	98	1,170	19%	34	408	16%
Brookside	62	748	11%	25	305	33%

Also, since winter usage figures do not change from the averages above, staff believes that the outside WiFi figures for Tom Evans and Campustown are inflated because of usage from within nearby buildings.

### Winter Usage (December 2011 – February 2012)

Location	Average Monthly Logins	Average Monthly Unique Users
Tom Evans	508	90
Campustown	476	56
Brookside	11	6
Hunziker YSC	1	1

### Summary

The implementation of the public WiFi hotspots was approved by City Council partly to test the demand of public Internet connectivity primarily for short-term usage such as checking e-mail or getting information using laptop computers or handheld devices. **This short-term use of the Internet appears to have shifted substantially since the program was started. Short-term outdoor access to the Internet is now accessed more commonly and conveniently using smart phones with faster 3G/4G data plans. Indoor WiFi connectivity for longer term Internet usage is available as a service provided by many businesses in Ames as well as the City. Data indicates that most outdoor locations are less in demand and usage seems to be falling as market penetration of smart phones continues to grow. The City-provided indoor (and Furman Aquatics Center) WiFi locations meet a longer term usage for the public attending meetings at City locations or waiting for family members participating in City programs and have continued to experience strong demand for use.**

The FY 2013/14 budget reflects continuing the service at the current costs (\$4,200 for ICS locations and \$7,868 for City-managed). The current contract expires in August 2013. **Staff would like Council input on direction regarding the continuation of this service.**

There are many options to consider, including the following:



- Continuing the service as currently offered while monitoring usage, and providing a report to Council at a later date.
- Expanding service to include additional outdoor locations.
- Eliminate some, or all, of the Pilot Outdoor locations, but continue the service to the City-managed locations which include all of the indoor locations and Furman Aquatics Center. Under this option the City would continue to offer access to private providers who offer service at City outdoor locations.

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ITEM # 19  
DATE 07-09-13

COUNCIL ACTION FORM

**SUBJECT: PARKING REGULATIONS ON BURNHAM DRIVE**

**BACKGROUND:**

On May 14, 2013, City Council referred a letter from the Waters Edge Town Home Association, care of Ron Shiflet the association President, requesting that the parking regulations along Burnham Drive be changed to restrict parking along the north side of the street. Currently parking is restricted at all times on the south side of the road.

In the letter, the Waters Edge Town Home Association cites two main reasons for the change 1) that there are fire hydrants located along the north side, therefore losing potential parking spaces that may also decrease access to those hydrants by the Fire Department during a fire, and 2) the south side has more street frontage for parking given the current layout of driveways. The letter also indicated that of the 27 residents living on Burnham Drive, 20 residents either support or do not object to the change. Five residents would like to keep No Parking on the south side, and two did not respond.


**Staff looked into this request and found no safety or operational issues in changing the side of the street that restricts parking. This change will actually bring the parking regulations into line with current standards for subdivisions by restricting parking on the same side of the street where the fire hydrants are located.**

**ALTERNATIVES:**

1. Direct the City Attorney to draft an ordinance that would restrict parking at all times on the north side of Burnham Drive and allow parking on the south side.
2. Reject the request, thereby keeping No Parking on the south side of Burnham Drive.

**MANAGER'S RECOMMENDED ACTION:**

Since 1) there is a large majority of support for this change by the affected residents, 2) the change will promote better access to fire hydrants in times of emergency, and it would make parking regulations more consistent throughout the subdivision; it is the recommendation of the City Manager that the City Council support Alternative #1 and direct the City Attorney to draft an ordinance to restrict parking at all times on the north side of the street and allow parking on the south side.

 **Proposed No Parking  
(on North side only)**

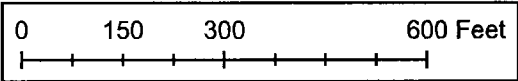


**Valley View Rd**

**Burnham Drive**

**Chilton Ave**

**Bloomington Rd**



**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTION 18.31 (39) AND ENACTING A NEW SECTION 18.31 (39) THEREOF, FOR THE PURPOSE OF PARKING REGULATIONS ON BURNHAM DRIVE ; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.**

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Section 18.31 (39) and enacting a new Section 18.31 (39) as follows:

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

(39) **BURNHAM DRIVE.** Parking is prohibited at all times of the day along the north side of Burnham Drive and allowing parking on the south side.”

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

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

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

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

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

\_\_\_\_\_  
Ann H. Campbell, Mayor