

AGENDA
SPECIAL MEETING OF THE AMES CITY COUNCIL
CONFERENCE ROOM 235 - CITY HALL - 515 CLARK AVENUE
MAY 24, 2016

CALL TO ORDER: 5:00 p.m.

CLOSED SESSION:

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

ADJOURNMENT: 5:15 p.m.

AGENDA
SPECIAL MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL - 515 CLARK AVENUE
MAY 24, 2016

CALL TO ORDER: 5:20 p.m.

1. Staff report on lead in drinking water

ADJOURNMENT:

AGENDA
MEETING OF THE AMES AREA METROPOLITAN PLANNING ORGANIZATION
TRANSPORTATION POLICY COMMITTEE AND
REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL - 515 CLARK AVENUE
MAY 24, 2016

CALL TO ORDER: 6:00 p.m.

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.

**AMES AREA METROPOLITAN PLANNING ORGANIZATION (AAMPO)
TRANSPORTATION POLICY COMMITTEE MEETING**

1. Motion approving Draft Amendment to FY 2016 - 2019 Transportation Improvement Program and setting date of public hearing for June 14, 2016
2. Hearing on FY 2017 Transportation Planning Work Program (TPWP):
 - a. Motion approving Final FY 2017 TPWP
3. Hearing on Public Participation Plan:
 - a. Motion approving Public Participation Plan

POLICY COMMITTEE COMMENTS:

ADJOURNMENT:

REGULAR CITY COUNCIL MEETING*

*The Regular City Council Meeting will immediately follow the meeting of the Ames Area Metropolitan Planning Organization Transportation Policy Committee.

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 May 10, 2016, and Special Meeting of May 20, 2016
3. Motion approving Report of Contract Change Orders for May 1-15, 2016
4. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class B Liquor – Gateway Hotel & Conference, 2100 Green Hills Drive
 - b. Class C Liquor – Old Chicago, 1610 S. Kellogg Avenue
 - c. Class C Liquor – Fuji Japanese Steakhouse, 1614 S. Kellogg Avenue
5. Motion approving 5-day (June 3-June7) Special Class C Liquor License for Olde Main at 3M, 900 Dayton Avenue
6. Motion approving 5-day (June 9-June 13) Special Class C Liquor License for Olde Main at Hansen Agriculture Student Learning Center, 2516 Mortensen Road
7. Motion approving 5-day (June 23-June 27) Class C Liquor License for Olde Main at the ISU Alumni Center, 420 Beach Avenue
8. Motion approving 5-day (June 18-June 22) Class C Liquor License for Christiani Events at the ISU Alumni Center, 420 Beach Avenue
9. Motion approving 5-day (June 6-June 10) Special Class C Liquor License for Burgie’s Coffee & Tea Company at the ISU Alumni Center, 420 Beach Avenue
10. Motion approving 5-day (June 15-June 19) Class C Liquor License & Outdoor Service for Gateway Hotel & Conference Center LLC at CPMI Event Center, 2321 North Loop Drive
11. Motion authorizing preparation of National Register Nomination for 413, 417, 427, and 429 Douglas Avenue (Octagon Center for the Arts)
12. Motion approving Encroachment Permit for awnings at 413 Northwestern Avenue, Wheatsfield Cooperative
13. Motion approving Encroachment Permit for a sign at 2420 Lincoln Way, Suite 103, Fuzzy’s Taco Shop

14. Motion directing staff to enter into a Professional Services Contract for Sanitary Sewer Analysis for North Growth Gap Area
15. Requests for Hope Run on June 18, 2016:
 - a. Resolution approving closure of portions of Dotson Drive, Mortensen Road, Hayward Avenue, Knapp Street, Sheldon Avenue, Arbor Street, and State Avenue from 7:30 a.m. to approximately 9:00 a.m. on Saturday, June 18
 - b. Resolution approving waiver of Road Race permit fee
16. Requests for Midnight Madness on July 9, 2016:
 - a. Motion approving 5-day (July 9-13) Class B Beer Permit and Outdoor Service Area in City Hall Parking Lot N
 - b. Motion approving tapping of up to seven kegs at once during post-race party with maximum of 20 kegs total during the evening
 - c. Motion approving blanket Vending License for July 9
 - d. Resolution approving closure of Fifth Street, Douglas Avenue, Sixth Street, Clark Avenue, Main Street, Northwestern Avenue, Ninth Street, Ridgewood Avenue, Sixth Street, and City Hall Parking Lot N
 - e. Resolution approving suspension of parking regulations and enforcement from 6:00 p.m. to 11 p.m. on Saturday, July 9
 - f. Resolution approving waiver of fees for blanket Vending License and usage of electricity
17. Requests from Main Street Cultural District (MSCD) for Firefly Country Night on Main Street on Sunday, July 17, 2016:
 - a. Motion approving 5-day (July 17-21) Special Class C Liquor License and Outdoor Service
 - b. Motion approving blanket Temporary Obstruction Permit and blanket Vending License at 200 Main Street and 400 block of Douglas Avenue from 6 p.m. on Saturday, July 16, to 11:59 p.m. on Sunday, July 17
 - c. Resolution approving closure of 200 block of Main Street and 400 block of Douglas Avenue starting at alley, from 6:00 p.m. on Saturday, July 16, to 11:59 p.m. on Sunday, July 17
 - d. Resolution approving closure of 50 parking spaces within the closed areas
 - e. Resolution approving waiver of fees for use of electrical outlets and blanket Vending License
18. Resolution approving FY 2016/17 Sign Permit Fee adjustment
19. Resolution rescinding Resolution No. 16-238 regarding vacating an alley between North Dakota Avenue and Delaware Avenue between Toronto Street and Reliable Street
20. Resolution approving FY 2016/17 Human Services (ASSET) Contracts
21. Resolution approving FY 2016/17 COTA Contracts
22. Resolution approving FY 2016/17 Contracts for Outside Funding Requests
23. Resolution approving contract with Main Street Cultural District in the amount of \$20,000 for Downtown Holiday Lights
24. Resolution approving renewal of health insurance administrative services contract with Wellmark from July 1, 2016, through June 30, 2017
25. Resolution approving renewal of Property Insurance Renewals:
 - a. Resolution approving one-year extension of agreement with Willis of Illinois for brokerage services
 - b. Resolution approving 2016/17 Annual Premium for Power and Municipal properties, brokered by Willis
26. Resolution approving Professional Services Agreement with Snyder & Associates of Ankeny, Iowa, for Phase II of Squaw Creek Water Main Protection Project at a cost not to exceed \$111,900
27. Resolution approving Iowa Economic Development Authority Contract for financial assistance for XPANXION, Inc., with local match
28. Resolution approving Ames Intermodal Facility Commercial Tenant Lease with Executive Express

29. Resolution approving Ames Intermodal Facility Commercial Tenant Lease with Jefferson Lines
30. Resolution approving Joint Use Parking Agreement for 1320 Dickinson Avenue (Perfect Games)
31. Resolution awarding Engineering Services Contract to Zachry Engineering Corporation of Minneapolis, Minnesota, for Power Plant Unit 7 Superheater, Furnace Wall, and Dump Gate Replacement in an amount not to exceed \$93,500
32. Resolution approving purchase of four 40-foot buses from Gillig Corporation of Hayward, California, in a not-to-exceed amount of \$1,772,000
33. Resolution approving preliminary plans and specifications for 2016/17 Pavement Restoration Program - Contract 1: Concrete Joint Repair Program; setting June 22, 2016, as bid due date and June 28, 2016, as date of public hearing
34. Resolution approving preliminary plans and specifications for 2016/17 Pavement Restoration Program - Contract 2: Slurry Seal Program; setting June 22, 2016, as bid due date and June 28, 2016, as date of public hearing
35. Resolution approving preliminary plans and specifications for 2015/16 Storm Sewer Improvement Program; setting June 22, 2016, as bid due date and June 28, 2016, as date of public hearing
36. South Skunk River Basin Watershed Improvement (City Hall Parking Lot Reconstruction):
 - a. Resolution approving revised Iowa Department of Agricultural and Land Stewardship (IDALS) Water Quality Grant completion date to June 30, 2017
 - b. Resolution approving preliminary plans and specifications; setting June 22, 2016, as bid due date and June 28, 2016, as date of public hearing
37. Resolution awarding contract to Keck Energy of Des Moines, Iowa, in an amount not to exceed \$300,000 for Electric Services Fuel Supply Contract
38. Resolution approving renewal of contract with MCG Energy Solutions, LLC, of Minneapolis, Minnesota, for Electric Market Participant Services Software in the amount of \$121,187.88 (plus applicable sales taxes)
39. Resolution approving contract and bond for Skate Park Renovation Project
40. Resolution approving contract and bond for 2015/16 Right-of-Way Restoration Program
41. Resolution accepting completion of Ada Hayden Heritage Park Service Line Project
42. Resolution accepting completion of City Hall Renovation Phase 2 project

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.

WATER & POLLUTION CONTROL:

43. Staff report on Fats, Oils, and Grease (FOG) Ordinance:
 - a. First passage of ordinance revising portions of Chapter 28 and Appendix Q pertaining to the Fats, Oils, and Grease Control Program

ADMINISTRATION:

44. Staff report regarding Welch Avenue Bicycle/Pedestrian Project:
 - a. Motion directing staff

PLANNING & HOUSING:

45. Resolution approving Preliminary Plat for Crane Farm Subdivision (896 South 500th Avenue)
46. Resolution setting date of public hearing on granting Access Easement across City property (Welch Avenue Parking Lot X) to benefit 122 Hayward Avenue

47. 321 State Avenue (Former Middle School) Options for Development Workshop:
 - a. Motion directing staff to explore a wide range of home ownership and rental housing types
48. Resolution approving Preliminary Plat for 125 and 130 Wilder Avenue (Sunset Ridge Subdivision, 7th Addition)
49. Staff Report on redevelopment of 2700 Block of Lincoln Way

PUBLIC WORKS:

50. Vacation of Roadway Preservation Easement at 3599 George Washington Carver Avenue (Scenic Point Subdivision)
51. Resolution approving 2015/16 and 2017/18 Traffic Signal Programs:
 - a. Resolution approving funding agreement for Urban Statewide Traffic Engineering Program (U-STEP) for University Boulevard and U.S. Highway 30 West-Bound Off-Ramp (2015/16)
 - b. Resolution approving funding agreement for Urban Statewide Traffic Engineering Program (U-STEP) for East 13th Street and Interstate 35 North-Bound Off-Ramp (2017/18)
 - c. Resolution approving final plans and specifications and awarding contract to Iowa Signal, Inc., of Grimes, Iowa, in the amount of \$184,070.66

HEARINGS:

52. Hearing on Major Land Use Policy Plan Amendment for 3115, 3409, and 3413 South Duff Avenue:
 - a. Resolution approving Amendment
53. Hearing on Final Amendments to Fiscal Year 2015/16 Budget:
 - a. Resolution amending current budget for Fiscal Year ending June 30, 2016
54. Hearing on granting Public Utility Easement to Iowa State University along South Riverside Drive:
 - a. Resolution granting Easement
55. Hearing on Electric Maintenance Services for Power Plant:
 - a. Motion accepting report of bids and delaying award of contract
56. Hearing on 2014/15 Sanitary Sewer Rehabilitation #2 (2016 Flood Prone Manhole Rehabilitation):
 - a. Resolution approving final plans and specifications and awarding contract to Save Our Sewers of Cedar Rapids, Iowa, in the amount of \$1,032,105.23
57. Hearing on Nuisance Assessments:
 - a. Resolution assessing costs of snow/ice removal and certifying assessments to Story County Treasurer

ORDINANCES:

58. Second passage of ordinance rezoning, with Master Plan, 3535 South 530th Avenue from Agricultural (A) to Suburban Residential Medium Density (FS-RM) and Residential High Density (RH) [2nd and 3rd readings and adoption requested]
59. Second passage of ordinance adjusting Storm Water Rates
60. Second passage of ordinance revising *Municipal Code* Section 28.102 regarding Energy Cost Adjustment (ECA)

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.**

SAFETY OF AMES DRINKING WATER LEAD UPDATE

May 24, 2016

BACKGROUND

For the past few months, national media outlets have been reporting on the serious health issues in Flint, Michigan, due to the exceptionally high lead concentrations in the drinking water¹. This report is being presented in response to a handful of customer inquiries regarding the Ames drinking water.

Corrosion Control and Water Stability in Ames

Water chemistry is a very important consideration for drinking water suppliers. If the water chemistry is “aggressive” or “corrosive,” it can attack metal piping, causing heavy metals and other toxic chemicals to leach into the water. Such has been the case in Flint, Michigan.¹ Just a few of the conditions that can make water corrosive include water that has a pH on the acidic (low) end of the spectrum (below 7.0) and water with too low of an alkalinity (dissolved minerals).

In Ames, the water chemistry is specifically and intentionally maintained to be on the other side of the stability spectrum, in the “slightly depositing” range. Ames Water has a pH that is about 9.5 standard units. As opposed to “aggressive” water that can corrode and dissolve pipes, Ames water forms a slight deposit on the inside of pipes. **The deposits formed by Ames water create a barrier between the drinking water and the pipe material, protecting the water from coming into contact with lead pipes, fittings, or solder. It also serves to sequester (bind) any lead that may leach from the pipes and other fixtures.**

Ames Water Quality

When the Lead and Copper Rule was first enacted by the US EPA in the early 1990s, the City of Ames developed a sampling and monitoring plan that was intentionally designed to provide a “worst case” evaluation from across the community; a sampling plan that continues to be used today. All sample locations used in Ames’ monitoring are residential properties that are known to have lead components somewhere in either the service line (the property’s connection between the water main and the water meter) or elsewhere in the home’s internal plumbing system, based on records maintained by Public Works and the Inspections Division. It should be noted that the use of lead in service lines or plumbing has been prohibited by the plumbing code for more than two decades.

¹See the attached Appendix for more information about the Flint water crisis.

The sampling techniques used have likewise been very carefully crafted in order to collect a sample that would have the greatest potential to capture any lead leaching from the pipe materials.

When the Lead and Copper sampling first began, samples were collected every six months. After the first three rounds of monitoring found virtually no lead in the water, the required sampling schedule was reduced to once every three years. That schedule is allowed to continue unless high lead levels are discovered or until the City makes a significant change in its treatment process (as will happen when the new treatment plant comes on-line).

Over the past 25 years of sampling, there has never been a valid sample that showed a lead concentration that exceeded the Safe Drinking Water Act’s Action Level of 15 parts per billion. The only sample that exceeded the action level was found to be from a property that had very recently made in an internal plumbing change, damaging the protective coating formed by the water deposits. **This track record of virtually non-detectable lead levels in Ames water is due to the water chemistry maintained by the utility. The ability of pipes to leach lead, copper, or other toxics into the water is greatly reduced.**

Federal Lead and Copper Rule Revisions

An update to the federal Lead and Copper Rule has been in the works for a number of years, and not surprisingly the events in Flint, MI, have impacted what is now likely to be included. For example; for the first time, the new rule is expected to require all water utilities to enact a corrosion control program, something Ames has had in place for years.

In light of the recent events in Flint, MI, virtually all drinking water industry trade associations have come out in vocal support of increased public education and awareness by utilities. Some organizations representing the industry are going even farther. On March 7, 2016, the American Water Works Association (AWWA)

Board of Directors voted unanimously to recommend to the U.S. Environmental Protection Agency (EPA) that any revisions to the Lead and Copper rule “...forge a path towards the total elimination of lead service lines.” AWWA Executive Director David LaFrance explained the decision by saying, “Most water professionals are perplexed – even stunned – at what transpired in Flint. But the Flint crisis lays bare a simple fact: As long as there are lead pipes in the ground or lead plumbing in homes, some risk remains.”

“This track record of virtually non-detectable lead levels in Ames water is due to the water chemistry maintained by the utility. The ability of pipes to leach lead, copper, or other toxics into the water is greatly reduced.”

AMES PUBLIC INFORMATION STRATEGY

In order to reassure our customers, staff is undertaking a public information campaign with two main target audiences: 1) the general consumer, and 2) targeted customers believed to have lead components in their service lines or premise plumbing. The initiative is a joint effort between the Water and Pollution Control Department, Public Works Department, Fire Department (Inspections Division), Planning and Housing Department, and Public Relations office.

General Consumers. Information has already begun to be distributed to customers about the safety of Ames water. The cover article in the April *City Side* publication describes the treatment process used in Ames, and highlights the intensive monitoring of the process to ensure consistent water quality. A similar message is included on the cover of the 2016 Water Quality Report, which was released in April and is provided online and by request to all customers of the Ames water utility. Additionally, a comprehensive FAQ section about lead has been added to the Water Treatment Plant pages on the City's web site, using the friendly URL CityOfAmes.org/Lead. Over the next few months, informational materials will be featured using a variety of City of Ames public outreach tools: newsletters, video, social media, website and more.

“Most water professionals are perplexed – even stunned – at what transpired in Flint. But the Flint crisis lays bare a simple fact: As long as there are lead pipes in the ground or lead plumbing in homes, some risk remains.”

The information provided through these formats is of a general nature, answering questions like “Why is lead a concern?” “What does Ames do to protect against lead in the drinking water?” and “What can I do to reduce my exposure to lead?” It will also highlight the proactive history of the Ames utility by pointing out that Ames has been using “low lead brass” water meters and meter fittings for more than 10 years, long before it became mandatory. It will also point out that recent EPA guidelines to utilities on how to sample for lead have been part of our standard practices for decades. All of the technical material being posted has been sourced from reputable governmental or industry trade association sources, including the EPA, the U.S. Centers for Disease Control, the Iowa Department of Natural Resources, and the American Water Works Association.

Targeted Consumers. Staff is currently compiling a listing of all properties believed to contain lead products in the water service line or in-home plumbing. Many of these property owners and residents may be unaware that they even have lead components in their private plumbing systems. **Each of the properties so identified will be sent a letter informing them that City records indicate that they may have lead in their plumbing system.** They will also be provided with a brochure that explains the history of lead monitoring in Ames and the ways the City manages the chemistry of its drinking water to protect against lead contamination. The

brochure will also provide simple, easy steps that residents can follow to lower their risk of lead exposure, including the following tips.

- Allow your cold water faucet to run wide open for about 30 seconds before using water for cooking or drinking purposes. This allows stagnant water, which would have had a longer time in contact with the lead plumbing, to be flushed away.
- Always use cold water for consumption, even when cooking. Sometimes there is a desire to shorten the time it takes to boil a pot of water by starting with hot tap water. But lead can dissolve more easily in hot water, so it is best to heat cold water on the stove when it will be consumed. The overwhelming method of lead exposure is through ingestion. Lead is not readily absorbed by the skin or by inhalation, so showering or doing laundry in hot water is not a concern.
- If any plumbing changes are made in the house, consider the use of a lead filter for up to 18 months. Even something as simple as changing out a faucet can disrupt the coating that has been deposited on the pipes by Ames water. Sometimes those deposits have captured small amounts of lead and when the deposits are disturbed, lead can be released.

Accompanying the letter will be information about the City's routine Lead and Copper sampling program and an invitation to participate in the round of sampling to take place later this summer.

For properties that are on the list of locations believed to contain lead plumbing, the City will be offering in the letter to perform a lead test at no cost to the customer or property owner. For properties that are not on the list of locations with lead service lines, the City will provide information on outside private laboratories that the owner or resident can use to arrange their own test at their expense. The cost to a customer for a private laboratory to perform the analysis is approximately \$25.

“For properties that are on the list of locations believed to contain lead plumbing, the City will be offering to perform a lead test at no cost to the customer or property owner.”

Internal Staff Training

Training will be provided to all front-line customer service staff in work locations likely to receive inquiries about lead from the public. An up-to-date listing of known properties containing lead service lines will be available in multiple departments, making it a simple matter for most customers to determine the status of their property.

LONG-TERM STRATEGY ON LEAD SERVICE LINES

An important aspect to consider when evaluating potential strategies for the complete replacement of lead service lines is the ownership of the service line. Ownership of the service line varies from one community to another. Chapter 28 of the Ames Municipal Code explicitly affirms that the water service line is owned by the property owner.

“All service connections with the city water supply from the main to the meter, including the corporation cock, service line, curb cock and curb box shall be installed and maintained at the expense of the property to be served. Ownership of the entire service connection remains with the property.” Section 28.214

Based on historical records reviewed by Public Works, there are 306 lead service lines believed to remain in Ames. Staff is considering a change that could provide a long-term strategy to help reduce the number of lead service lines in Ames.

Water Main Replacement Prioritization

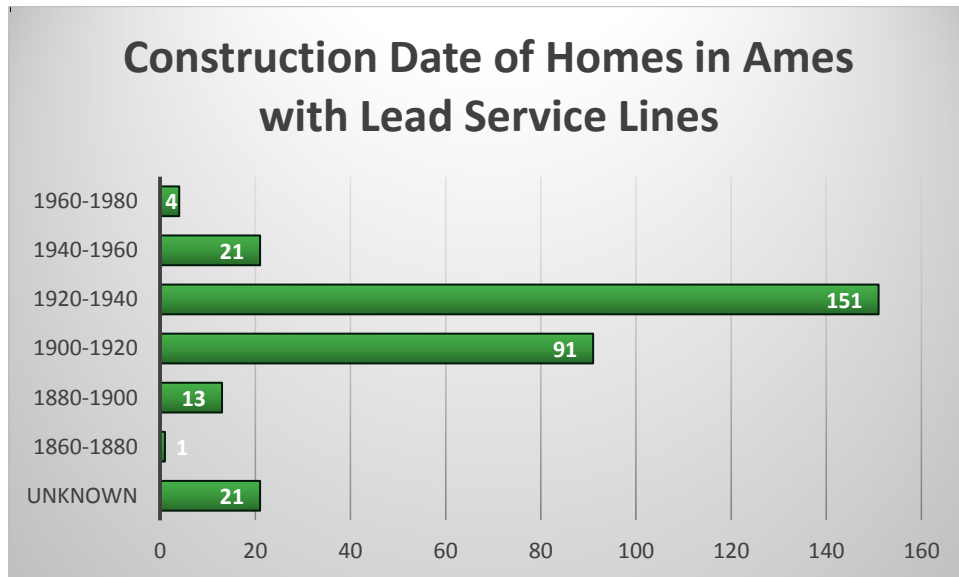
It has been a long-standing practice to replace – at the utility’s cost – any lead service lines encountered during a water main replacement or service line transfer project. The rationale is similar to why a customer needs to be careful when replacing fixtures inside the house: disturbing lead plumbing can suddenly take a system that was safe due to the coatings on the pipes and make it unsafe by disturbing those coatings. In the case of a water main replacement project, the reason for the disturbance to the piping is because of a City-initiated project. As a result, the utility covers the full cost of the service line replacement.

“It has been a long-standing practice to replace – at the utility’s cost – any lead service lines encountered during a water main replacement or service line transfer project.”

Moving forward, Public Works will add this to its list of considerations used to prioritize its water main replacement plans, with the number of lead service lines on a given water main now being included as an additional consideration. Over time, this will slowly shrink the number of remaining lead service lines in the community. Based on the projects identified in just the first two years of the Capital Improvements Plan alone, it appears that as many as 30 lead service lines may be replaced, paid 100% by the water utility.

SUMMARY

The operational practices of the Ames water utility have served to protect its customers from the risks of lead contamination, thanks to carefully controlled water chemistry and regular water quality monitoring. Since the water service lines and premise plumbing are owned by the property owner and not the City, staff recognizes the importance of educating residents about lead. Staff is undertaking a proactive public education effort to help residents understand the protections provided by the utility and informing them of additional measures they can take to further mitigate the risk of lead contamination.



The most reliable method to protect against lead contamination of homes and businesses is the complete removal of lead service lines and internal plumbing. Staff will begin including the presence of lead service lines in the list of factors used to prioritize water main replacement projects.

APPENDIX: Background on Flint, MI Situation

Multiple factors in Flint have combined to result in the current drinking water crisis. A detailed timeline, excerpted in large part from a [Detroit Free Press](http://www.freep.com/pages/interactives/flint-water-crisis-timeline/) report found at <http://www.freep.com/pages/interactives/flint-water-crisis-timeline/> and from the City of Flint's web site found at cityofflint.com, is provided below.

A City in Financial Crisis. The City of Flint was in a severe economic crisis. General Motors had shut down a large manufacturing facility, leading to exceptionally high unemployment and a substantial loss of population. At the peak, more than 80,000 Flint-area residents were employed by GM; today that number stands at 2,820. The unemployment rate in Flint in 2010 was over 23%, due in no small part to the loss of GM as a major employer in the community. When the jobs left, so too did the population. The US Census Bureau estimates that the Flint population, which was once over 220,000, had dropped to only 98,000 in 2014.

In 2002, the City of Flint was \$30 million in debt. Upset over the situation, voters recalled their mayor. Shortly thereafter, Michigan Governor Snyder appointed an emergency manager to oversee the City's finances. A prolonged period of severe austerity measures was enacted by the emergency manager, who had the unquestioned, final decision on every financial matter of the City. While these measures were successful in shrinking the City's debt by about \$14 million over a nine-year period, they came with a cost of shrinking local government employment and deferred maintenance. The City of Flint was simply caught by the math; squeezed between the size of the infrastructure it had built to meet its past demands and the remaining tax base available to fund the ongoing operation and maintenance of that infrastructure.

In 2011, a state review board determined that Flint was still mired in a "state of local government financial emergency." A new emergency manager was appointed by the Governor. The emergency manager's first reported action was to dismiss the City Administrator, Human Resources Director, and several other high-level appointed officials. All pay and benefits were eliminated for elected officials. All financial decisions were once again subject to the review and ultimate discretion of the emergency manager.

Geopolitical War. Historically, the City of Flint had contracted with the Detroit Water and Sewerage Department to purchase drinking water. Flint's emergency manager believed that Detroit was overcharging Flint and that it would be less expensive to buy into the newly formed Karegnondi Water Authority (KMA), which was under development. Flint gave notice to Detroit in March of 2013 of its intention to stop purchasing water effective in 2017.

Detroit Water immediately blasted Flint's decision, issuing a public statement asserting that Flint had "effectively launched the greatest war in Michigan's history." Detroit did offer a revised rate structure to Flint, which was rejected by the emergency manager, saying that the

offer from Detroit was still more expensive than joining the KWA. Flint's emergency manager signed an agreement in April of 2013, formally entering into the KWA.

In response, Detroit sent Flint a letter informing them that, under the terms of their purchased water agreement, Detroit may terminate the delivery of water with 12 months' notice. The letter served as that 12-month notice, meaning Flint had to find another source by April 2014 – three years before the KWA system was to be operational. Suddenly, Flint had to come up with an interim water supply and treatment system, and they had less than 12 months to be operational.

Inappropriate Decision-making Authority Coupled with Lax Technical Oversight. The emergency manager directed the abandoned Flint water treatment plant be brought out of moth-balls and returned to service, using water from the Flint River as its source. The Michigan Department of Environmental Quality participated in the decision and issued a construction permit to bring the Flint Water Treatment Plant back on-line.

Every spending decision for the restoration of treatment activities was subject to the review and approval of the emergency manager. Even the selection of treatment chemicals was made by the emergency manager, with the ultimate decision appearing to be solely based – in every case – on cost. When the selection of corrosion control strategies was considered, the emergency manager reportedly directed Flint staff to use ferric salts in lieu of the more expensive phosphate-based corrosion control that had been used by Detroit. There are no reports that anyone checked the impact that the change in corrosion control methods would have on the overall water chemistry.

Water Quality Problems Begin. In April 2014, just days before Detroit was going to cut off the delivery of water to Flint, the renovated Flint Water Treatment Plant began operating with water from the Flint River. A Michigan Department of Environment Quality news release stated that “the quality of the water being put out meets all of our drinking water standards, and Flint water is safe to drink.” But the state did not require corrosion control measures; and neither the State DEQ nor the Flint water system had checked the stability or corrosivity of its water.

Residents almost immediately begin to express concerns about the water; most notably the sudden and wide-spread change in the color of the water. Worker's at GM's engine assembly plant noticed corrosion on parts coming out of the machining process. Soon after the changeover, Flint was forced to issue a city-wide “boil water advisory” due to the presence of coliform bacteria in the water. Water plant staff began hydrant flushing and boosted the chlorine level. The bacterial quality improved and the boil advisory was dropped, only to be reinstated later in 2014 because of new coliform testing. Again, the response by Flint Water was to increase chlorine levels.

The water utility had not fully considered the impact on water quality resulting from using the Flint River as its source, nor had it considered the resulting health impact potential of mixing the high organic matter found in the Flint River with the elevated chlorine levels. When high

organic matter concentrations are exposed to elevated chlorine concentrations, a group of disinfection byproducts known as trihalomethanes, or THMs, are formed. These compounds, at high enough concentrations, can cause serious liver and kidney problems. The Flint water exceeded the federal limits and the City, in early 2015, had to issue a warning to its residents of the elevated THM levels.

Because of the number of advisories that had been issued, staff of the University of Michigan's Flint campus decided to test the water from drinking fountains on campus. They discovered elevated lead levels in two infrequently used drinking fountains in two older buildings.

At about this time, Detroit Water offered to reconnect Flint, if Flint will agree to a new long-term arrangement. Flint rejected the offer.

The Lead Crisis Erupts. By this time, residents were becoming increasingly frustrated at the perceived lack of response by the water utility. On January 21, 2015, a meeting with scientists was held at City Hall where residents brought jugs of discolored water that "tastes funny and smells terrible."

A local activist brought a video to the City Council of a rash her son was experiencing, which she attributed to the drinking water. The City agreed to test the water at her home. The results of that testing revealed exceptionally high lead levels. The mother/activist next contacted the regional EPA office in Chicago. EPA staff was alarmed at the results and began questioning the Michigan Department of Environmental Quality (DEQ). The Michigan DEQ responded that "Flint has an optimized corrosion control program." That was not the case. Recall that the Michigan DEQ does not require corrosion control and Flint was doing nothing to monitor its water stability. A consultant commissioned by the City suggested a \$50,000 annual expense for different corrosion control chemicals. That recommendation was rejected due to the cost.

The Director of the Pediatric Residency Program at Hurley Medical Center in Flint initiated a research project to look at the prevalence of lead poisoning before versus after the change in water supplies. What she found was that the percentage of children with lead poisoning tripled, going from about 5% to almost 16%. And the location where the children lived correlated directly with the areas of highest lead in the drinking water.

In April 2015, the Michigan DEQ finally admitted to the EPA that Flint had no corrosion control in place, but that Flint was conducting Lead and Copper sampling as required by the Safe Drinking Water Act. DEQ confirmed to the EPA that the DEQ had imposed no other requirements on Flint to test for lead. The EPA directed the state DEQ to assist Flint on its various water quality issues. In July 2015, Governor Snyder asked the DEQ for a status report. DEQ reported that Flint was fully complying with the Lead and Copper Rule and that the problem was isolated to just a single house. Other officials at the state level reportedly became concerned that the issues were being systematically "swept under the rug."

[It was later discovered that the sampling protocols used by Flint when sampling for lead and copper were entirely inappropriate. The sampling is required to be done in a very precise fashion in order to collect a 'worst case' sample. The water must have sat stagnant in the home's plumbing for at least six hours, so the lead has time to leach out. The sample collected must be the absolute first flush out of the faucet so the sample is coming from the home's plumbing and not the water main. Additionally, the water flow must be at full volume so any particulate matter settled in the pipes is flushed out and collected in the sample container. In Flint, those collecting samples were instructed to run the faucet for five minutes prior to collecting the sample. And the sample jars had exceptionally small openings, meaning the water could only run at a trickle to fill the containers.]

In August 2015, a Virginia Tech researcher notified the DEQ that he would begin a study of Flint's water quality. The researcher, Dr. Marc Edwards, had spent more than 10 years working with the EPA's Office of Ground Water and Drinking Water on lead issues. The results, posted on-line at www.flintwaterstudy.org, found a 90th percentile lead value in Flint of 25 parts per billion, exceeding the EPA's established 15 parts per billion. This is more alarming given that the researchers were not able to initially target the "worst case" homes. Lead concentrations in some Flint homes were reportedly found at concentrations of over 13,200 parts per billion.

In response to this monitoring data, Flint finally issued a "lead advisory" in September 2015, but still insisted it is in compliance with all federal Safe Drinking Water Act requirements. When the State Department of Public Health and Human Services confirmed the findings of the Hurley Medical Center Study, a public health emergency was finally declared for the City of Flint in October 2015.

After receiving a grant from the state and other charitable foundations, Flint reconnected to Detroit Water in October 2015. While there are some indications that the lead levels may be starting to drop, at this time, it is not known how long it might take for the protective scale to be fully reformed on the inside of the pipes and fixtures. The Michigan Attorney General has now opened an investigation into possible criminal activities.

**AMES AREA METROPOLITAN PLANNING ORGANIZATION (AAMPO)
 TRANSPORTATION POLICY COMMITTEE ACTION FORM**

**SUBJECT: DRAFT FY 2016 - 2019 TRANSPORTATION IMPROVEMENT PROGRAM
 AMENDMENT**

BACKGROUND:

In order to receive Federal funds for transportation improvement projects, it is necessary for the projects to be included in the approved Iowa Department of Transportation statewide plan. The initial step in this process is for the Ames Area MPO to develop a Transportation Improvement Program (TIP). Regulations require the TIP to include transportation projects for four years. The TIP may be amended in accordance with prescribed amendment and public participation procedures.

This amendment to the Fiscal Year (FY) 2016 - 2019 Transportation Improvement Program involves increasing the federal funding amount and accelerating timing for the Interstate 35: US 30 Interchange project. Currently the project includes \$10,471,000 of Federal Funds with a total project cost of \$16,404,000. The project is proposed to shift to FY 2016 with \$22,890,000 of Federal funds and a total project cost of \$30,103,000. **This projected is administered by IDOT and doesn't involve local funds.**

Requirements to process an amendment to the TIP require an opportunity for public review and comment as well as approval by both the Technical and Policy Committees of the Ames Area MPO. A public input session will be held on June 3, 2016 to discuss the amendment to the FY 2016-2019 TIP and receive comments.

Current FY 2016 – 2019 TIP Listing

TPMS Sponsor Appr. Status	Project # Location Funding Program	Length FHWA# S:TR	Pgm'd Amounts in 1000's				Total	STIP#	
			FY16	FY17	FY18	FY19			
NHPP - National Highway Performance Program									
Story - 85									
22016 [NBIS: 49210] DOT-D01-MPO22 FHWA Approved	IM--35()--13-85 I35: US 30 INTERCHANGE IN AMES Pave,Bridge New,Grading	0.503 49210 --	Project Total Federal Aid Regional FA	100 0 0	11,634 10,471 0	4,358 0 0	312 0 0	16,404 10,471 0	TA --

Proposed FY 2016 - 2019 TIP Listing

TPMS Sponsor Appr. Status	Project # Location Funding Program	Length FHWA# S:TR	Pgm'd Amounts in 1000's				Total	STIP#	
			FY16	FY17	FY18	FY19			
NHPP - National Highway Performance Program									
Story - 85									
22016 [NBIS: 49210] DOT-D01-MPO22 Submitted	IM--35()--13-85 I35: US 30 INTERCHANGE IN AMES Pave,Bridge New,Grading	0.503 49210 --	Project Total Federal Aid Regional FA	25,433 22,890 0	0 0 0	4,358 0 0	312 0 0	30,103 22,890 0	R AC --
SYSTEM NOTE: CANDIDATE FOR ADVANCED CONSTRUCTION									

ALTERNATIVES:

1. Approve the draft FY 2016 - 2019 Transportation Improvement Program amendment and set June 14, 2016, as the date for the public hearing.
2. Approve the draft FY 2016 - 2019 Transportation Improvement Program amendment with Transportation Policy Committee modifications and set June 14, 2016, as the date for the public hearing.

RECOMMENDED ACTION:

The Ames Area MPO Technical Committee has unanimously recommended approve of the FY 2016 – 2019 Transportation Improvement Program amendment. This projected is administered by IDOT and doesn't involve local funds.

Therefore, it is recommended by the Administrator that the Transportation Policy Committee adopt Alternative No. 1, thereby approving the draft FY 2016 -2019 Transportation Improvement Program and setting July 14, 2016, as the date for the public hearing.

**AMES AREA METROPOLITAN PLANNING ORGANIZATION (AAMPO)
TRANSPORTATION POLICY COMMITTEE ACTION FORM**

SUBJECT: FY 2017 TRANSPORTATION PLANNING WORK PROGRAM

BACKGROUND:

As a part of the federal regulations governing Metropolitan Planning Organizations, the Federal Highway Administration and the Federal Transit Administration provide planning funds to reimburse these agencies for transportation planning activities. The Iowa Department of Transportation administers this program.

The Transportation Policy Committee previously reviewed and approved the draft FY 2017 Transportation Planning Work Program (TPWP) on March 22, 2016. Work includes several elements to ensure an integrated transportation system. These elements include administrative tasks for transportation planning, programming and development for the Transportation Improvement Program, comprehensive transportation planning and in-depth technical analysis, enhanced transit planning for coordination, accessibility, and efficiency, public participation enhancement and incorporation into the transportation planning process, committee support, and maintenance and development of the Long Range Transportation Plan. Some expected products in the FY 2017 TPWP includes the development of the Transportation Improvement Program, ongoing maintenance of the Long Range Transportation Plan and Passenger Transportation Plan, and a Transit System Redesign Study.

ALTERNATIVES:

1. Approve the final FY 2017 Transportation Planning Work Program for submission to the Iowa Department of Transportation.
2. Approve the final FY 2017 Transportation Planning Work Program with Transportation Policy Committee modifications for submission to the Iowa Department of Transportation.

RECOMMENDED ACTION:

The Ames Area MPO Transportation Technical Committee has reviewed the final 2017 TPWP and unanimously recommended approval. The Ames Area MPO staff received and addressed comments from the Iowa Department of Transportation, Federal Highway Administration, and Federal Transit Administration. At the public input session, no revisions were requested by the public.

Therefore, it is recommended by the Administrator that the Transportation Policy Committee adopt Alternative No. 1, thereby approving the final FY 2017 Transportation Planning Work program for submission to the Iowa Department of Transportation.



FY17

**Transportation Planning
Work Program**



The Ames Area MPO prepared this report with funding from the U.S. Department of Transportation's Federal Highway Administration and Federal Transit Administration, and in part through local matching funds of the Ames Area MPO member governments. These contents are the responsibility of the Ames Area MPO. The U.S. government and its agencies assume no liability for the contents of this report or for the use of its contents. The Ames Area MPO approved this document on **May 24 2016**. Please call (515) 239.5160 to obtain permission to use.

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Introduction

The Fiscal Year 2017 Transportation Planning Work Program (FY 2017 TPWP) is the work plan for the fiscal year beginning July 1, 2016 and ending June 30, 2017. The TPWP is a requirement of 23 CFR 450.308(b) for metropolitan planning organizations to develop a document identifying work proposed for the next one-year period by major activity and task. The document should be in enough detail to indicate who will perform the planning activity, the schedule for completing the activity, what products should result from each activity, funding for each activity as well as a total program budget.

Area Background

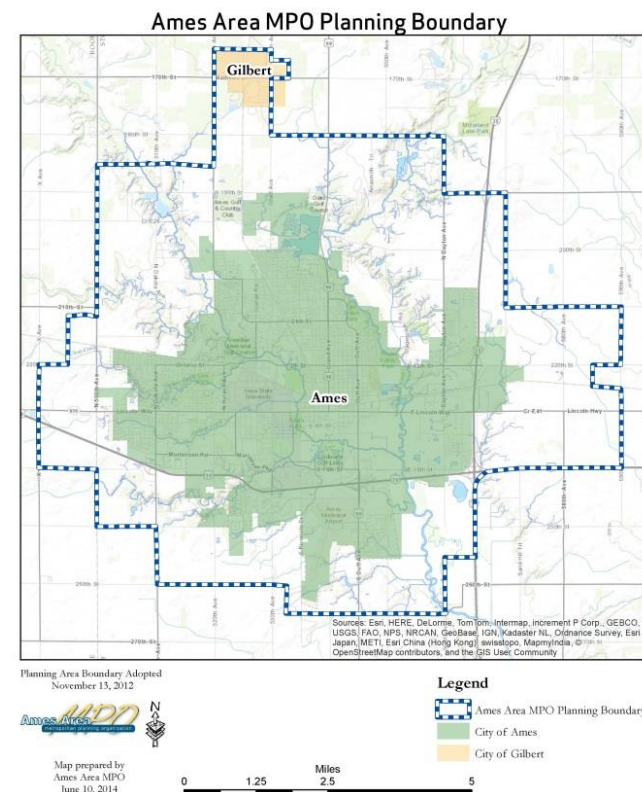
The Ames Area MPO was officially designated the MPO of the Ames urbanized area by the Governor of Iowa in March 2003. This designation was the result of the Ames urbanized area having a population of greater than 50,000 in the 2000 census. As a result of the 2010 Census, the urbanized areas of Ames and Gilbert were combined into one urbanized area, therefore requiring the Metropolitan Planning Area to be expanded to encompass this area in its entirety. The Ames Area MPO approved the current Metropolitan Planning Area boundary on November 13, 2012. The City of Gilbert and Iowa State University were added to the Transportation Policy Committee on March 26, 2013.

Definition of Area

Ames is located in central Iowa and is served by Interstate 35, U.S. Highway 30, and U.S. Highway 69. Surface transportation needs are met through over 248 centerline miles of streets. The community has a very progressive transit system, CyRide, which carries over six million bus passengers per year. While

the majority of transit users have Iowa State University ties, CyRide serves the entire Ames community.

The Ames Area MPO area includes the Ames Municipal Airport, which serves general aviation needs for business, industry, and recreation users. On average 119 aircraft operations occur per day at the Ames Municipal Airport. Railroad Provides freight service to the area by dual east-west mainline tracks and a northern agricultural spur.



Planning Priorities

The FY2017 TPWP addresses the planning goals of the Ames Area MPO, which are:

- Provide a connected transportation system that offers efficient and reliable mobility options for all modes of travel.
- Provide a safe transportation system.
- Consider and mitigate the impacts of the transportation system on the natural and built environment.
- Provide an accessible transportation system which fits within the context of its surroundings and preserves community character.
- Provide a transportation system that supports the regional economy and efficiently moves goods.
- Maintain transportation infrastructure in a state-of-good-repair.

The Federal Highway Administration and the Federal Transit Administration in a memorandum to Metropolitan Planning Organizations, dated March 18, 2015, jointly issued Planning and Emphasis Areas (PEAs). The PEAs are topical areas in planning that FHWA and FTA want to emphasize as MPOs develop work tasks associated with PEAs in the Transportation Planning Work Program. The 2016 PEAs include:

1. **FAST Act Implementation:** Transition to performance-based planning and programming.
2. **Regional Models of Cooperation:** Ensure regional approach to transportation planning by promoting cooperation and coordination across transit agency, MPO, and State boundaries.
3. **Ladders of Opportunity:** Access to essential services.

To address these priorities and challenges in the FY 2017 Transportation Planning Work Program, the Ames Area MPO will conduct the following activities to address these areas of emphasis:

- **FY 2018 – 2021 Transportation Improvement Program (Task 2)** – Develop a short-range transportation document in accordance with the Public Participation Process and address transportation programming using principals from the Ames Mobility 2040 Long Range Transportation Plan
- **Transit Route Redesign Study (Task 5.2)** – through consulting services, conduct an analysis of CyRide’s current route structure and schedule to determine if its current service delivery method is the most efficient. CyRide has grown from 4 million annual rides to almost 7 million over the past decade.
- **Development of Performance Measures (Task 3)** – Transition MPO planning activities to using performance measures in effort to implement FAST Act
- **Partnering with local organizations and host additional coordination meetings (Task 1)** – Ensuring a regional approach to our transportation planning activities.
- **Passenger Transportation Plan (PTP) (Task 4)** – Update and amend the 2015-2020 PTP to address access to essential services within the Ames region.

The following documents are developed, updated, or maintained by the Ames Area MPO:

- Transportation Planning Work Program
- Transportation Improvement Program
- Public Participation Plan
- Long Range Transportation Plan

- Passenger Transportation Plan: As part of an effort to coordinate and develop services with human service agencies and other transit agencies, a Passenger Transportation Plan has been developed, and is updated every five years. The Passenger Transportation Plan is developed in consultation with human service agencies and transportation providers in an effort to further this goal.

Performance-based Planning and Programming

The regional performance measures tie back to the six performance goals of the adopted Ames Mobility 2040 Plan:

1. Connected, Efficient, and Reliable
2. Safety
3. Environment
4. Accessibility
5. Economy and Goods Movement
6. Asset Management

Performance targets are shown that reflect challenging, yet achievable performance targets for the Ames area. The performance targets are shown as a way of assessing the level of consistency between Ames Mobility 2040 Plan outcomes with the regional transportation vision and goals. The performance measures do not reflect Ames Area MPO policy, and there are not positive or negative consequences to the Ames Area MPO or its member jurisdictions whether they are achieved or not achieved. The regional performance measures are desired outcomes that reflect the community vision and attempt to measure how the Ames Mobility 2040 plan compares to that vision. It is assumed that the Ames area's regional performance measures and targets will be ultimately be modified when formal performance measurement rulemaking is finalized.

Performance Measures

Goal Area	Performance Measure	Performance Measure Target for Ames Mobility 2040
1. Connected, Efficient, and Reliable	System Reliability / Reliability Index 80 (RI ₈₀)	Address reliability issues at the two (2) NHS segments with poorest reliability.
	Miles of On-Street Bicycle Facilities	Increase the segment-mileage of on-street bicycle facilities by 100% compared to current levels.
2. Safety	Serious Injury / Fatal Crashes	Address safety issues at five (5) locations with highest crash rates or most serious injury / fatal crashes.
3. Environment	VMT per Household	2040 VMT per household grows by 10% or less compared to 2010 levels.
	VHT per Household	2040 VHT per household grows 20% or less compared to 2010 levels.
	Transit Mode Share	2040 transit mode share is higher than 2010 transit mode share.

Goal Area	Performance Measure	Performance Measure Target for Ames Mobility 2040
4. Accessibility	Household and Employment Proximity to Transit	Maintain housing and jobs proximity (¼ mile walk distance) within 5% of 2010 levels.
	EJ Proximity to Transit	Maintain levels of transit proximity (within ¼ of a route) to EJ households within 5% of non-EJ households.
	Household and Employment Proximity to Bicycle Facilities	Increase the percentage of employment and households within ¼ mile of bicycle facilities by 25% by 2040.
	EJ Proximity to Bicycle and Pedestrian Facilities	Provide higher levels of bicycle facility proximity (within ¼ mile of a facility) to EJ households than non-EJ households.
5. Economy and Goods Movement	LOS / Congested Miles of Primary Freight Corridors	2040 Congested Miles of NHS system same/lower than 2010 levels.
6. Asset Management	Pavement Condition Index (PCI)	Reconstruct federal-aid roadways rated poor.
	Bridge Condition (NBI)	Reconstruct structurally deficient bridges.
	Transit State of Good Repair	Maintain avg. fleet age at 15 years old or newer.

Air Quality

The Clean Air Act requires the United States Environmental Protection Agency to set limits on how much of a particular pollutant can be in the air anywhere in the United States. National Ambient Air Quality Standards are the pollutant limits set by the Environmental Protection Agency; they define the allowable concentration of pollution in the air for six different pollutants:

- Carbon Monoxide
- Lead
- Nitrogen Dioxide
- Particulate Matter
- Ozone
- Sulfur Dioxide

The Clean Air Act specifies how areas within the country are designated as either “attainment” or “non-attainment” of an air quality standard, and provides Environmental Protection Agency the authority to define the boundaries of nonattainment areas. For areas designated as non-attainment for one or more National Ambient Air Quality Standards, the Clean Air Act defines a specific timetable to attain the standard and requires that non-attainment areas demonstrate reasonable and steady progress in reducing air pollution emissions until such time that an area can demonstrate attainment. Each state must develop and submit a State Implementation Plan that addresses each pollutant for which it fails to meet the National Ambient Air Quality Standards. Individual state air quality agencies are responsible for defining the overall regional plan to reduce air pollution emissions to levels that will enable attainment and maintenance of the National Ambient Air Quality Standards. This strategy is articulated through the State Implementation Plan.

Regions which do not meet air quality standards are required to develop transportation plans in conformance with the State Implementation Plan (SIP), including more frequent updates to plans such the Long Range Transportation Plan.

The Ames Area MPO does not exceed the National Ambient Air Quality Standards and is considered an attainment area. The Ames area is therefore not subject to air quality conformity requirements, updating the Long Range Transportation Plan every five years. However, the Ames Area MPO will perform activities to monitor and promote air quality issues in the region. The State of Iowa provides grant opportunities through the Iowa Clean Air Attainment Program (ICAAP) to promote air quality in Iowa’s transportation system.

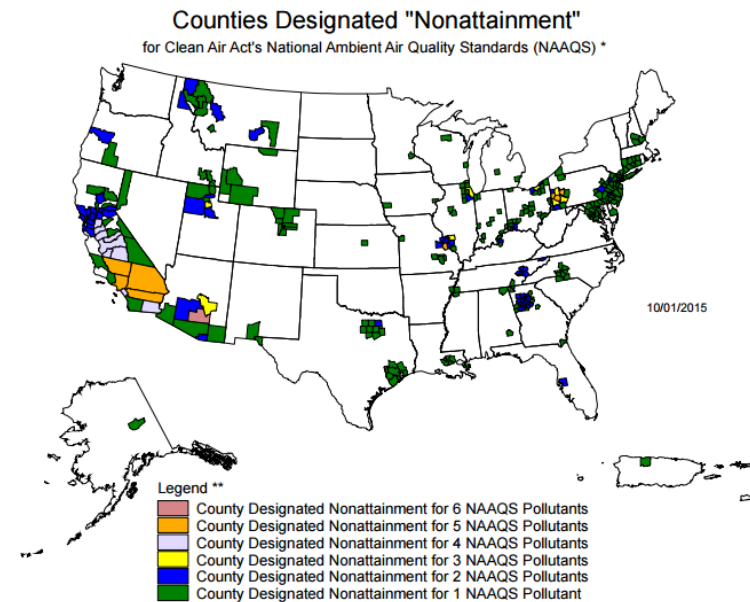


Figure 1 U.S. EPA Green Book

TPWP Development

The FY 2017 Transportation Planning Work Program was developed by input from the Ames Area MPO staff, members of the Transportation Technical Committee, the general public, and the Transportation Policy Committee. The following milestones describe the process in which the Transportation Planning Work Program was developed.

- **October 13, 2015 and November 9, 2015 – Transportation Technical Committee**
During October and November, the Transportation Technical Committee reviewed the potential funding levels anticipated for FY 2017 and developed a list of potential projects and work activities to consider for the 2017 fiscal year.
- **March 8, 2016 – Transportation Technical Committee**
The Technical Committee reviewed the draft FY 2017 TPWP and made final recommendations.
- **March 11, 2016 – Public Input Meeting**
The Transportation Planning Work Program for FY 2017 was made available on the Ames Area MPO website and the general public were able to submit comments to MPO staff. On March 11, 2016, MPO staff were available for the general public to give input to staff in-person at a meeting held at the Ames City Hall. Staff presented the activities outlined in the work program to the attendee. There were no suggestions or comments regarding the proposed activities presented.

- **March 22, 2016 – Transportation Policy Committee Meeting**
The Transportation Policy Committee approved the draft FY 2017 Transportation Planning Work Program and set a date, May 24, 2016, for a public hearing to consider and adopt the FY 2017 program.
- **April 2016 – Review from DOT Partners**
During April, the draft Transportation Planning Work Program was submitted to Federal and State partners for compliance review and comments.
- **May 24, 2016 – Transportation Policy Committee Hearing**
The Transportation Policy Committee held a public hearing to consider adoption of the FY2017 Transportation Planning Work Program with opportunities for the public to respond and present to the committee. **___ spoke at the public hearing**

Private Sector Involvement

Consultants will be used to perform the following subtasks:

- Alternatives Analysis Study (Task 5.1) to conduct feasibility of route from the Iowa State Center to Iowa State University campus corridor identified currently as the Orange Route, to identify as a potential Bus Rapid Transit corridor.
- Transit System Redesign Study (Task 5.2)

Organization

The Ames Area MPO provides continuity of various transportation planning and improvement efforts throughout the Ames urban area. The City of Ames serves as the fiscal agent for the Ames Area MPO. The Ames Area MPO consists primarily of two standing committees: The Transportation Policy Committee and the Transportation Technical Committee.

Transportation Policy Committee

Voting membership on the Ames Area MPO Transportation Policy Committee is open to any county or city government located, wholly or partially, in the designated Metropolitan Planning Area. Currently the Ames Area MPO membership includes: City of Ames, City of Gilbert, CyRide, Boone County, and Story County. The Iowa Department of Transportation, the Federal Highway Administration, the Federal Transit Administration, and Iowa State University serve as advisory, non-voting, representatives.

Transportation Policy Committee Membership		
<i>Representing</i>	<i>Name</i>	<i>Title</i>
City of Ames †	Ann Campbell	Mayor
City of Ames	Gloria Betcher	Council Member
City of Ames	Bronwyn Beatty-Hansen	Council Member
City of Ames	Tim Gartin	Council Member
City of Ames	Peter Orazem	Council Member
City of Ames	Chris Nelson	Council Member
City of Ames	Amber Corrieri	Council Member
Boone County	Chet Hollingshead	Board of Supervisors
Story County	Wayne Clinton	Board of Supervisors
Ames Transit Agency	Cole Staudt	CyRide Board Member
City of Gilbert	Jonathan Popp	Mayor
Iowa Dept. of Transportation ‡	Garrett Pedersen	District Transportation Planner
Federal Highway Administration ‡	Darla Hugaboom	Iowa Division
Federal Transit Administration ‡	Mark Bechtel	Region 7
Iowa State University ‡	Cathy Brown	Campus Planning Assistant Director

† Chair ‡ Advisory, Non-Voting Member

Transportation Technical Committee

The Transportation Technical Committee consists of technical personnel from various agencies involved in transportation issues within the planning area. The Transportation Technical Committee formulates the procedural details of the Transportation Planning Work Program. The committee reviews and monitors the output of various MPO activities identified in the work program and makes recommendations to the policy committee. The committee is also responsible for assisting in developing the short and long-range transportation plans. The Iowa Department of Transportation, the Federal Highway Administration, and the Federal Transit Administration serve as advisory, non-voting, representatives.

Transportation Technical Committee Membership		
<i>Representing</i>	<i>Name</i>	<i>Title</i>
City of Ames †	Tracy Warner	Municipal Engineer
City of Ames ††	Damion Pregitzer	Traffic Engineer
City of Ames	Justin Clausen	Operations Manager
City of Ames	Kelly Diekmann	Director of Planning & Housing
City of Ames	Charlie Kuester	Planner
CyRide	Sheri Kyras	Transit Director
Iowa State University	Cathy Brown	Campus Planning Assistant Director
Boone County	Scott Kruse	County Engineer
Story County	Darren Moon	County Engineer
Ames Community School Dist.	Gerry Peters	Facilities Director
Ames Economic Development Commission	Drew Kamp	Government Relations Director
Iowa Dept. of Transportation ‡	Phil Mescher	District Trans. Planner
Federal Highway Administration ‡	Darla Hugaboom	Iowa Division
Federal Transit Administration ‡	Mark Bechtel	Region 7

† Chair

††Vice-Chair

‡ Advisory, Non-Voting Member

Work Elements

Task 1 – Administration and Support

Objective:

To initiate and properly manage the “3-C” planning process, ensuring that it is continuous, cooperative, and comprehensive, and in compliance with applicable State and Federal laws and regulations. This document may be amended by the Policy Board from time to time, as needed.

Previous Work:

- FY 2016 TPWP maintenance and budget monitoring
- FY 2017 TPWP development
- Self Certification
- Participated in four-year planning review with Iowa DOT, Federal Transit Administration, and Federal Highway Administration in July 2015
- Quarterly submittals for planning funding reimbursement
- Conducted eight Transportation Policy Committee meetings on: July 14, 2015; August 18, 2015; August 25, 2015; September 22, 2015; October 27, 2015; March 22, 2016; May 24, 2016; and June 12, 2016
- Conducted five Transportation Technical Committee meetings on: August 18, 2015; October 13, 2015; November 22, 2015; March 8, 2016; and May 17, 2016.
- Conducted two public meeting on March 11, 2016; and June 3, 2016.
- Published MPO related messages on social media
 - Facebook: [facebook.com/cityofames](https://www.facebook.com/cityofames)
 - Twitter: @cityofames
- Updated meeting agendas, minutes, and materials on the MPO website: www.aampo.org

Description:

This task includes all administrative tasks which support activities of the MPO including the following: prepare and submit required documents to maintain the continuity and credibility of the planning process. Sponsor and conduct meetings and provide support to policy and technical committees. Prepare budgets, maintain financial records, and ensure monies are spent appropriately. Coordinate activities with participating agencies and other public and private interests.

Purchase/lease supplies, computer equipment and other equipment necessary to carry out planning efforts. Maintain software and purchase necessary upgrades when beneficial to the MPO.

Task also includes conducting informational meetings, as well as public hearings, to obtain public input and feedback on ongoing activities. The Public Participation Plan, along with other pertinent documents maintained and developed by the Ames Area MPO are posted online at www.aampo.org. The Public Participation Plan will be evaluated for modifications to evolve with communication preferences as warranted.

The MPO staff will participate in conferences, seminars, meetings, and other training opportunities to remain familiar with the latest regulations and techniques related to the transportation planning field as provided by the Federal Transit Administration, Federal Highway Administration, American Planning Association, Environmental Protection Agency, Iowa Department of Transportation, peer transportation planning organizations, and other agencies and professional organizations.

FY 2017 Products:

- FY 2017 Transportation Planning Work Program maintenance and budget monitoring
 - FY 2018 Transportation Planning Work Program development
 - FY 2017 Self Certification
 - Preparation and maintenance of Title VI programs which meet the requirements of FHWA and FTA
 - Review new USDOT planning regulations are finalized and update MPO planning activities to conform to current laws and regulations.
 - Review and maintenance of the Public Participation Plan
 - Planning funds reimbursement submittals
 - Host public meeting during the development process of the FY 2018-2021 Transportation Improvement Program and FY 2018 Transportation Planning Work Program and subsequent public meetings as needed.
 - Maintain a website for the Ames Area MPO posting events and timely documents at www.aampo.org
 - Host Transportation Policy Committee meetings and adopt plans and programs within appropriate timeframes
 - Advertise MPO meetings in the Ames Tribune as appropriate
 - Host Transportation Technical Committee meetings
 - Partner with local organizations to host coordination meetings related to regional transportation topics
 - Maintain current contact information for committee representatives
 - Participate in trainings offered through the Central Iowa Bicycle-Pedestrian Roundtable
- Participate in state sponsored trainings
 - Participate in state and national conferences related to transportation planning

Schedule:

Task	Description (work product)	1 st Qtr (July – Sept.)	2 nd Qtr (Oct. – Dec.)	3 rd Qtr (Jan. – March)	4 th Qtr (April – June)
Administration and Support					
	FY 2017 TPWP maintenance and budget monitoring	X	X	X	X
	FY 2018 TPWP development		X	X	X
	Self Certification			X	
	Planning funding reimbursement submittals	X	X	X	X
	Public meeting for TIP and TPWP public review and comments			X	X
	Maintain and update the AAMPO webpage (www.aampo.org)	X	X	X	X
	Technical and Policy Committee meetings and minutes	X		X	X
	Distribute committee representative appointment forms		X		
	Training and education	X	X	X	X

Work Element Summary:

Activity	Responsible Agency	MPO Hours	Staff	Federal Funds	Local Funds	Total
1. Administration	AAMPO	1,098		\$41,353	\$10,338	\$51,691

Task 2 – Transportation Improvement Program

Objective:

Develop and maintain a regional program of near-term projects that are consistent with the Ames Area MPO long range transportation plan.

Previous Work:

- Maintained the FY 2016 – 2019 Transportation Improvement Program
- Development and adoption of the FY 2017 – 2020 Transportation Improvement Program

Description:

The Federal Fiscal Year 2017 – 2020 Transportation Improvement Program will be maintained and amended as necessary. The FFY 2018 – 2021 TIP for Surface Transportation Projects, Transportation Alternative Projects, and projects utilizing funding from other Federal programs, will be developed. The TIP will include all regionally significant transportation projects and those receiving Federal funds or requiring Federal approval. Coordination with the Iowa DOT Statewide Transportation Improvement Program (STIP) will also be undertaken.

FY 2017 Products:

- Maintain the FY 2016 – 2019 Transportation Improvement Program through formal amendments or administrative modifications
- Develop and adopt the FY 2017 – 2020 Transportation Improvement Program

- Maintain the FY 2017 – 2020 Transportation Improvement Program through formal amendments or administrative modifications
- Development of the FY 2018 – 2021 Transportation Improvement Program

Schedule:

Task	Description (work product)	1 st Qtr (July – Sept.)	2 nd Qtr (Oct. – Dec.)	3 rd Qtr (Jan. – March)	4 th Qtr (April – June)
Transportation Improvement Program					
	FY 2016-2019 TIP maintenance and revisions as necessary	X			
	FY 2017-2020 TIP development	X			
	FY 2017-2020 TIP maintenance and revisions as necessary		X	X	X
	FY 2018-2021 TIP development		X	X	X

Work Element Summary:

Activity	Responsible Agency	MPO Hours	Staff	Federal Funds	Local Funds	Total
2. TIP	AAMPO	341		\$10,698	\$2,674	\$13,372

Task 3 – Comprehensive Planning

Objective:

Integrate transportation planning and land use planning for Ames Area MPO member jurisdictions.

Previous Work:

- Attend the Central Iowa Bicycle-Pedestrian Roundtable meetings
- Attend Midwest Transportation Model user Group quarterly meetings
- Adopted regional performance measures as part of the Ames Mobility 2040 Long Range Transportation Plan
- Performed model scenarios for potential development scenarios

Description:

Participate in regional activities which enhance the transportation network including data collection, collaboration with local transportation activities, technical assistance for member agencies, and other activities promoting a comprehensive approach.

FY 2017 Products:

- Update Safe Routes to School maps
- Participate in various planning committees including:
 - Central Iowa Bicycle-Pedestrian Roundtable
 - Passenger Rail Advisory Group
 - Midwest Travel Model User Group
 - Iowa Department of Natural Resources meetings on air quality issues
 - Iowa Transportation Coordination Council
- Develop and maintain GIS data for regional planning purposes

- Perform traffic model scenarios
- Review and update model as required
- Development of pavement management system
- Regional traffic count program
- Regional trail count program
- Traffic signal synchronization review
- Monitor regional performance measures
- Analyze potential alternative funding sources
- Assist communities with promoting multi-modal transportation strategies including complete street initiatives
- Maintain and update the Regional ITS Architecture as necessary

Schedule:

Task	Description (work product)	1 st Qtr (July – Sept.)	2 nd Qtr (Oct. – Dec.)	3 rd Qtr (Jan. – March)	4 th Qtr (April – June)
Comprehensive Planning					
	Update SRTS maps	X			
	Central Iowa Bicycle-Pedestrian Roundtable meetings	X	X	X	X
	Passenger Rail Advisory Group	X			X
	Midwest Travel Model User Group	X	X	X	X
	Iowa Transportation Coordination Council	X	X	X	X
	Shared Use Path map updates			X	
	Integrate multi-modal projects for improvement to LOS	X	X	X	X
	Maintain and update transportation network model	X	X	X	X
	Development of pavement management system	X	X	X	X
	Regional Traffic Count Program	X	X	X	X
	Regional trail counts	X	X	X	X
	Traffic signalization review	X			X
	Performance measures tracking development	X	X	X	X
	Analyze potential alternative funding sources	X	X	X	X
	Intersection and corridor improvement study	X	X	X	X
	Maintain and update the Regional ITS Architecture	X	X	X	X

Work Element Summary:

Activity	Responsible Agency	MPO Staff Hours	Federal Funds	Local Funds	Total
3. Comprehensive Planning	AAMPO	702	\$30,852	\$7,713	\$38,565

Task 4 – Transit Planning

Objective:

Enhance a coordinated, accessible, and efficient transit system.

Previous Work:

- Human service/transportation provider coordination meetings and updates
- Update FY2015 Passenger Transportation Plan Update
- Alternatives Analysis Planning
- Equal Employment Opportunity (EEO) Program update
- Disadvantage Business Enterprise (DBE) Program update and reports
- Title VI Program Update
- Ames Alternative Analysis Study

Description:

Planning efforts will reflect prioritization of the following areas:

- Incorporating safety and security in transit (transportation) planning
- Transit asset management planning
- Participation of transit operators in metropolitan and statewide planning
- Coordination of non-emergency human service transportation
- Planning for transit system management and operation to increase ridership
- Make transit capital investment decisions through effective system planning

This item involves transit planning issues related to land use and development issues, ridership surveys and analyses, plans to manage transit agency in accordance to the Federal Transit Administration guidelines, and the study of student and commuter service. Meetings will be held to facilitate the locally developed coordinated public transit/human-services transportation plan to improve transportation services for the low-income, aging and disabled populations within the community. Efforts will concentrate on improving operating efficiencies of current services and eliminating gaps where and when transportation is not available. The Transportation Planner may conduct various planning and ridership studies throughout the year.

FY 2017 Products:

- Various transit plans, administration and audits of the following programs requiring annual certifications by the transit agency:
 - a) Equal Employment Opportunity Program (EEO)
 - b) Title VI Program
 - c) Limited English Proficiency (LEP),
 - d) Disadvantaged Business Enterprise (DBE)
 - e) Transit Asset Management Plan
 - f) Safety/Security Plan
 - g) Federal Audits/Reviews
- Amend/update Ames Area MPO Passenger Transportation Plan (PTP)
- Capital/Financial planning to analyze fleet and facility needs for five-year period
- Long-term facility expansion studies
- Bus stop amenities planning
- System-wide performance measure
- Bus Rapid Transit service planning

Schedule

Task	Description (work product)	1 st Qtr (July – Sept.)	2 nd Qtr (Oct. – Dec.)	3 rd Qtr (Jan. – March)	4 th Qtr (April – June)
Transit Planning					
	Administration and audits of various transit plans: EEO, Title VI, LEP, DBE, Transit Asset Management Plan, Safety Plan	X	X	X	X
	Maintain and amend PTP			X	X
	Capital/Financial planning to analyze fleet and facility needs for 5 year period	X	X	X	X
	Corridor and facility expansion studies	X	X	X	X
	Bus stop amenities	X			X
	System-wide performance measures	X	X	X	X
	Administration of Ames Alternative Analysis Study	X	X		
	Administration of Ames Alternative Analysis	X	X	X	
	Administration of Transit System Redesign Study	X	X	X	X

Work Element Summary:

Activity	Responsible Agency	MPO Staff Hours	Federal Funds	Local Funds	Total
4. Transit Planning	AAMPO / CyRide	800	\$45,000	\$11,250	\$56,250

Task 5 – Special Studies

Objective:

To further the goals and objectives of the transportation planning process through special studies undertaken by MPO staff or consultants in support of existing or projected local needs.

Subtask 5.1: Alternatives Analysis Study

Previous Work:

- Existing Conditions
- Data Collection/Rider Surveys
- Origin-Destination Analysis
- Osborn Corridor
- Route Alternatives Development
- Screening of Project Alternatives
- Ridership Forecasting
- Public Input meetings
- Identification/Refinement of Preferred Alternative
- Financial Assessment

Description

An Alternatives Analysis (AA) Study was conducted of the Iowa State Center to Iowa State University campus corridor identified currently as the Orange Route. The Ames Transit Agency completed a smaller Transit Feasibility Study in June 2007 looking at seven corridors in the community that had either current transportation/growth issues or future identified growth. The study identified transportation options to resolve corridor problems of which the Orange Route is operating at near maximum capacity. It was determined through the Transit Feasibility Study that the Orange Route may qualify for Small

New Starts funding to establish a Bus Rapid Transit corridor which would operate more like a light rail type system only using more cost-efficient buses. The AA study analyzed specific route options in more depth regarding transit-only corridors, provided detailed information on bus stop upgrades, and analyzed route speed increases that could be realized with extended-green technology. This study analyzed the financial capacity/needs of the Ames community to undertake a project such as Bus Rapid Transit. At the conclusion of the AA Study, a locally preferred alternative – the “proposed action” – was determined which was Bus Rapid Transit.

The Alternative Analysis study began in January 2013 and is expected to conclude in the fall 2016 with a final report completed by winter 2016. The study has included data collection in the form of rider surveys, on/off boardings, gate access to ISU campus, class concentration, public input, etc. Public meetings occurred in the fall 2014 and spring 2015 when the majority of the students that utilize this route were living in Ames to attend university classes. The study and locally preferred alternatives will be finalized by fall 2016. The total budget is \$200,000 (\$160,000 federal) for the study but will cross fiscal years 2015 through 2017. The budget below assumes that remainder of the federal funds, approximately 17%, will be expended in FY2017. The funding for this project is exclusively for work completed by the consultant. Transit staff will charge their time toward the transit planning element.

FY 2017 Products:

- Complete Alternative Analysis Report
- Categorical Exclusion/NEPA Documentation
- Request Entry into FTA Project Development and Supporting Documentation

Subtask 5.2: Transit System Redesign Study

Previous Work

New project for FY 2017.

Description:

A Transit System Redesign Study will be conducted to analyze CyRide's current route structure/schedule to determine if its current service delivery method is the most efficient structure. CyRide has grown from 4 million annual rides to almost 7 million over the past decade. Questions as to whether the current route configuration and timetables/schedule are serving the community appropriately.

A consultant will be hired to conduct the work and analysis of this special one-time study. Staff time will charge their analysis and efforts to the transit planning element and therefore the funding within this element will be utilized exclusively for the consultant's participation.

Preliminary work tasks to be completed by the consultant, but yet to be finalized consist of the following:

1. Refine Goals and Objectives for the Study/ Kick-Off Meeting
2. Collect Stakeholders Input to Determine the Study's Parameters & future direction
3. Conduct a Peer Analysis of Similar University Transit Systems
4. Collect Current CyRide Data
5. Conduct Customer Surveys.
6. Conduct Civic Engagement Activities
7. Review of Current Land Use Plans and Multi-Family Development
8. Develop 2-3 Service Concepts and Final Recommendation

9. Refinement of the Final Service Delivery Method
10. Development of a Final Report

A Technical Committee comprised of City, ISU and CyRide staff; including AAMPO representation; would be established to oversee the study and recommend peer systems for comparison, civic engagement plans, passenger survey questions and a preferred service option.

The Transit System Redesign Study will begin in July 2016 and is expected to conclude in September 2017 with a final report completed by the consultant at that time. The total budget is \$150,000 (\$100,000 federal) for the study.

FY 2017 Products:

- Peer Analysis of University Transit Systems
- CyRide Data Detailed
- Customer Surveys
- Public Input Meetings (2) & Outreach
- Land Use and Multi-Family Development Analysis
- Service Concept Development (2-3 Options)
- Refine Final Service Delivery (preliminary schedules, ridership estimates, route alignments, bus stops, transfer locations, passengers per revenue hours, summer route/schedule changes, operational staffing needs, technology enhancements, disparity study, implementation timelines/phases)
- Development of Transit System Redesign Report

Schedule:

Subtask	Description (work product)	1 st Qtr (July – Sept.)	2 nd Qtr (Oct. – Dec.)	3 rd Qtr (Jan. – March)	4 th Qtr (April – June)
Special Studies					
5.1	Alternative Analysis Study	X	X		
5.2	Transit System Redesign Study	X	X	X	X

Work Element Summary:

Activity	Responsible Agency	Hours	Federal Funds	Local Funds	Total
5.1 Alternatives Analysis Study	*CyRide	-	\$28,000	\$7,000	\$35,000
5.2 Transit Route Redesign Study	*CyRide/ AAMPO	-	\$100,000	\$50,000	\$150,000

*Funds used for private sector involvement

Task 6 – Long Range Transportation Planning

Objective:

Provide framework for orderly, efficient growth of an integrated, multi-modal transportation network.

Previous Work:

- Development of the 2010 base year travel demand model
- Development of the 2040 projection socioeconomic data and forecast travel demand model
- Host AmesMobility2040.com project website with up-to-date project information
- Public engagement activities including public meetings, focus group, project management team, and online forums hosted by MindMixer at www.ImagineAmes.org
- Major development of the existing conditions report and other elements of the plan document
- Adopt Ames Mobility 2040 Long Range Transportation Plan

Description:

The 2040 Long Range Transportation Plan (titled: Ames Mobility 2040) became effective October 2015. With the recent implementation of the Federal Surface Transportation bill, MAP-21, the plan was developed to meet these requirements.

FY 2017 Products:

- Maintain and amend the Ames Mobility 2040 Long Range Transportation Plan as necessary
- Fine tune transit element of 2040 model to accurately display Ames' ridership
- Prepare outline of 2020 LRTP planning activities along with schedule. Identified tasks to be programmed into future work programs to support the long range transportation plan update

Schedule:

Task	Description (work product)	1 st Qtr (July – Sept.)	2 nd Qtr (Oct. – Dec.)	3 rd Qtr (Jan. – March)	4 th Qtr (April – June)
Long Range Transportation Plan					
	Maintenance of the Ames Mobility 2040 LRTP	X	X	X	X
	Fine tune transit element of 2040 model to accurately display Ames' ridership	X	X	X	X
	Prepare outline of 2020 LRTP activities		X	X	X

Work Element Summary:

Activity	Responsible Agency	MPO Hours	Staff	Federal Funds	Local Funds	Total
6 LRTP Update	AAMPO	220		\$8,278	\$2,070	\$10,348

FY 2017 Budget and Funding Sources

Budget Summary

Activity/Work Element	Total Cost	Total Local Match	Federal Funds							
			Total Federal Amount	FTA 5305 New	FTA 5305 C/O	FHWA STP New	FHWA STP C/O	FHWA PL New	FHWA PL C/O	FTA 5339
1 - Admin	\$ 51,691	\$ 10,338	\$ 41,353	\$ 5,495	\$ 5,497	\$ -	\$ 6,464	\$ 8,219	\$ 15,677	\$ -
2 - TIP	\$ 13,372	\$ 2,674	\$ 10,698	\$ 1,422	\$ 1,422	\$ -	\$ 1,672	\$ 2,126	\$ 4,055	\$ -
3 - Comp	\$ 38,565	\$ 7,713	\$ 30,852	\$ 4,100	\$ 4,101	\$ -	\$ 4,823	\$ 6,132	\$ 11,696	\$ -
4 - Transit	\$ 56,250	\$ 11,250	\$ 45,000	\$ 5,980	\$ 5,982	\$ -	\$ 7,034	\$ 8,944	\$ 17,060	\$ -
5 - Special	\$ 185,000	\$ 57,000	\$ 128,000	\$ 13,289	\$ 13,293	\$ -	\$ 15,632	\$ 19,876	\$ 37,910	\$ 28,000
6 - LRTP	\$ 10,348	\$ 2,070	\$ 8,278	\$ 1,100	\$ 1,100	\$ -	\$ 1,294	\$ 1,645	\$ 3,138	\$ -
Total	\$ 355,226	\$ 91,045	\$ 264,181	\$ 31,385	\$ 31,396	\$ -	\$ 36,919	\$ 46,944	\$ 89,537	\$ 28,000

*totals are rounded to the nearest dollar and summations may produce a rounding error

	FTA 5305 New	FTA 5305 C/O	FHWA STP New	FHWA STP C/O	FHWA PL New	FHWA PL C/O	FTA 5339	TOTAL
Unobligated Federal Funds	\$ -	\$ -	\$ -	\$ -	\$ 47,137	\$ -	\$ -	\$ 47,137

Revisions to the Transportation Planning Work Program

Procedures

All work program changes require prior written Federal approval, unless waived by the awarding agency. The following table denotes the approving agency for various changes to work programs.

Revision type	Approving Agency
Request for additional Federal funding	FHWA and/or FTA
Transfer of funds between categories, projects, functions, or activities which exceeds \$150,000	FHWA and/or FTA
Revision of the scope or objectives of activities	FHWA and/or FTA
Transferring substantive programmatic work to a third party (consultant)	FHWA and/or FTA
Capital expenditures, including the purchasing of equipment	FHWA and/or FTA
Transfer of funds allotted for training allowances	FHWA and/or FTA
Transfer of funds between categories, projects, functions, or activities which do not exceed 10% of the total work program budget, or when the Federal share of the budget is less than \$150,000	Iowa Department of Transportation
Revisions related to work that does not involve Federal funding	Ames Area MPO

All necessary TPWP approvals are required to be in place prior to the commencement of activity, purchasing of equipment, or request for reimbursement. As it relates to procurement of equipment and services, there should be no notification of award, signed contract, placement of an order, or agreement with a contractor prior to receiving the necessary approval.

All revision requests should be submitted electronically to the Iowa DOT Office of Systems Planning and the agency's District Planner. If all necessary information is provided, the request will then be forwarded to the Federal Highway Administration and Federal Transit Administration for review and any necessary approvals. Notification by the approving agency will be in writing.

Revision requests shall, at a minimum, include:

- A resolution or meeting minutes showing the revision's approval.
- Budget summary table with changes highlighted/noted.
- Modified section(s) of the plan's work elements with changes highlighted/noted.

[FHWA/FTA Revision Approval](#)

Revisions where FHWA/FTA is the designated approving agency shall require written approval by FHWA/FTA prior to commencement of activity, purchasing of equipment, or request for reimbursement.

[Iowa DOT Office of Systems Planning Revision Approval](#)

Revisions where the Iowa DOT Office of Systems Planning is the designated approving agency shall require written approval by the Iowa DOT Office of Systems Planning prior to commencement of activity or request for reimbursement.

[Ames Area MPO Revision Approval](#)

Revisions where the MPO or RPA is the approving agency shall be approved by the Policy Board.

Cost Allocation Plan

The local match for salaries and other expenses is a part of the City of Ames Program Budget adopted by the City of Ames City Council for all personnel and associated expenses. Costs billed will be for those specified. The main source of local-match funds will come from the City of Ames Road Use Tax allocation. New FY 2017 funds have been combined with the carryover amounts for expense allocations. Carryover funds will be used first before new allocations. The Ames Area MPO does not charge indirect costs.

Appendix A: Ames Area MPO Self Certification

AMES AREA METROPOLITAN PLANNING ORGANIZATION ANNUAL SELF-CERTIFICATION

In accordance with 23 CFR 450.334, the STATE DEPARTMENT OF TRANSPORTATION and the Ames Area Metropolitan Planning Organization for the Ames, Iowa urbanized area(s) hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

- (1) 23 U.S.C. 134, 49 U.S.C. Section 5303, and 23 CFR Part 450;
- (2) In nonattainment and maintenance areas, Sections 174 and 176(c) and (d) of the Clean Air Act as amended (42 U.S.C. 7504, 7506(c) and (d) and 40 CFR 93);
- (3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- (4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex or age in employment or business opportunity;
- (5) Section 1101(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Pub. L. 109-59) regarding the involvement of Disadvantaged Business Enterprises in FHWA and FTA funded planning;
- (6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- (7) The provisions of the Americans with Disabilities Act of 1990 (Pub. L. 101-336, 104 Stat. 327, as amended) and USDOT implementing regulation;
- (8) Older Americans Act, as amended (42 U.S.C. 6101);
- (9) 23 U.S.C. 324, regarding prohibition of discrimination based on gender; and
- (10) Section 504 of the Rehabilitation Act of 1973 and 49 CFR Part 27, regarding discrimination against individuals with disabilities.

For AAMPO:


Ann Campbell, Chair
Transportation Policy Committee

3-22-16
Date

Appendix B: Transportation Policy Committee Meeting Minutes

**AMES AREA METROPOLITAN PLANNING ORGANIZATION (AAMPO)
TRANSPORTATION POLICY COMMITTEE ACTION FORM**

SUBJECT: PUBLIC PARTICIPATION PLAN UPDATE

BACKGROUND:

The current public participation plan was originally adopted in 2003 when the Ames Area MPO was first organized. The Ames Mobility 2040 Long Range Transportation Plan deployed a multi-faceted, active, and on-going public engagement effort. The MPO Public Participation Plan is being updated to incorporate the activities utilized during the long range plan update. **The Transportation Policy Committee previously reviewed and approved the draft Public Participation Plan on March 22, 2016.**

The Public Participation Plan included a 45-day public comment period from March 22, 2016, through May 10, 2016. During the comment period, no revisions were requested by the public.

ALTERNATIVES:

1. Approve the final Public Participation Plan.
2. Approve the final Public Participation Plan with Transportation Policy Committee modifications.

RECOMMENDED ACTION:

The Ames Area MPO Transportation Technical Committee has developed and recommends approval of this Public Participation Plan Update. Therefore, it is recommended by the Administrator that the Transportation Policy Committee adopt Alternative No. 1, thereby approving the final Public Participation Plan.

Ames Area Metropolitan Planning Organization

Public Participation Plan

Adopted May 24, 2016

ACKNOWLEDGEMENTS

Transportation Policy Committee Members

Ann Campbell, Chairperson	City of Ames
Gloria Betcher	City of Ames
Tim Gartin	City of Ames
Peter Orazem	City of Ames
Chris Nelson	City of Ames
Bronwyn Beatty-Hansen	City of Ames
Amber Corrieri	City of Ames
Chet Hollingshead	Boone County
Wayne Clinton	Story County
Hamad Abbas	CyRide
Jonathan Popp	City of Gilbert

Non-voting

Garrett Pedersen	Iowa Department of Transportation
Darla Hugaboom	Federal Highway Administration
Mark Bechtel	Federal Transit Administration
Cathy Brown	Iowa State University

Transportation Technical Committee

Tracy Warner, Chairperson	City of Ames
Damion Pregitzer, Vice-Chair	City of Ames
Justin Clausen	City of Ames
Kelly Diekmann	City of Ames
Charlie Kuester	City of Ames
Sheri Kyras	CyRide
Cathy Brown	Iowa State University
Scott Kruse	Boone County
Darren Moon	Story County
Gerry Peters	Ames Community School District
Drew Kamp	Ames Economic Development Commission

Non-voting

Phil Mescher	Iowa Department of Transportation
Darla Hugaboom	Federal Highway Administration
Mark Bechtel	Federal Transit Administration

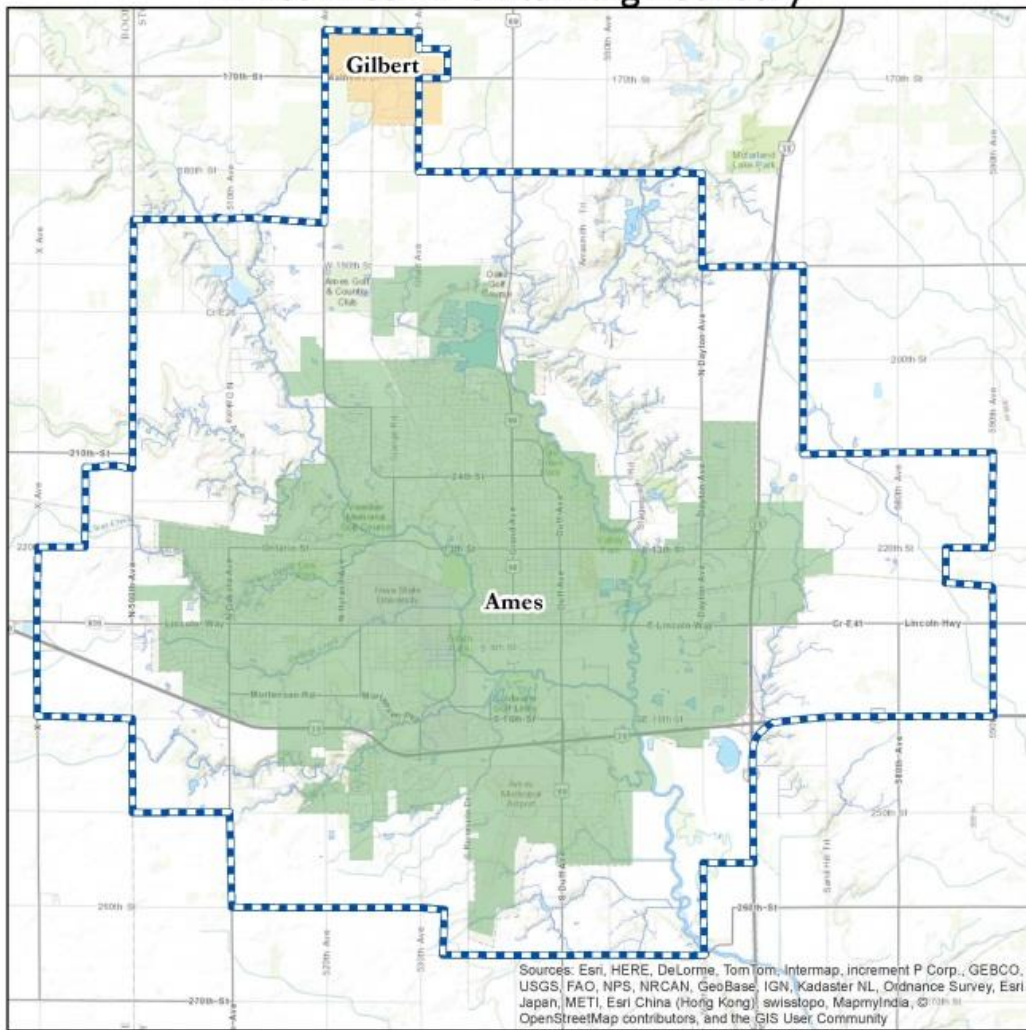
Ames Area Metropolitan Planning Organization Staff

John Joiner	Administrator
Tony Filippini	Transportation Planner
Tracy Warner	Municipal Engineer
Damion Pregitzer	Traffic Engineer
Sheri Kyras	Transit Director
Shari Atwood	Transit Planner
Kelly Diekmann	Planning & Housing Director
Charlie Kuester	Planner
Diane Voss	City Clerk
Joe Newman	Principal Clerk

INTRODUCTION

In accordance with Title 23, Code of Federal Regulations, Part 450 (23 CFR 450), the Ames Area MPO provides transportation planning services for the City of Ames, City of Gilbert and portions of Story County and Boone County. As part of this transportation planning process, the Ames Area MPO desires and requests citizen input on the work, projects, and products proposed and created by the Ames Area MPO.

Ames Area MPO Planning Boundary






Planning Area Boundary Adopted
November 13, 2012



Map prepared by
Ames Area MPO
June 10, 2014

Legend

-  Ames Area MPO Planning Boundary
-  City of Ames
-  City of Gilbert



The Ames Area MPO recognizes the importance and necessity of the public involvement process. The following groups govern the activities of the Ames Area MPO:

The Ames Area MPO Transportation Policy Committee are local elected officials from the City of Ames, City of Gilbert, Story County, and Boone County; an appointed representative from the Ames Transit Agency (CyRide) and non-voting members from Iowa State University, Iowa Department of Transportation, Federal Highway Administration, and Federal Transit Administration. This committee acts on the recommendations of the Transportation Technical Committee

Representatives to the Ames Area MPO Transportation Technical Committee (TTC) include city engineers, county representatives, public works directors, community planning staff, Ames Municipal Airport Representative (City of Ames Operations Administrator), Ames Transit Agency (CyRide) staff, Iowa State University, Ames Community School District staff, and Ames Economic Development staff as well as staff from the Iowa DOT, Federal Highway Administration, and Federal Transit Administration. This committee is charged with making technical recommendations to the Ames Area MPO Transportation Policy Committee.

Additional subcommittees and working groups may be appointed at any time by the Transportation Policy Committee Chair or the Transportation Technical Committee Chair to address specific transportation-related topics or areas of interest to the Ames Area MPO.

GOALS AND OBJECTIVES

The public involvement process required by 23 CFR 450 should "... provide complete information, timely public notice, full public access to key decisions, and support early and continuing involvement of the public in developing plans and Transportation Improvement Programs..."

The Ames Area MPO is committed to the availability of timely, complete information; to the notification of and public access to the decision-making process; and to ongoing public involvement throughout the transportation planning process including, but not limited to, the development of the Long-Range Transportation Plan, the Transportation Improvement Program, the Passenger Transportation Plan and the Public Participation Plan. Through this Public Participation Plan, the Ames Area MPO aims to identify methods for obtaining public input and encouraging public involvement in the transportation planning process.

STAKEHOLDERS AND PUBLIC GROUPS

The Ames Area MPO has identified the following groups and individuals, but not limited to, as those having potential interest in public input and involvement opportunities:

- Neighborhood organizations;
- Homeowner associations;

- Ames Homebuilders and Ames Economic Development Commission, Chamber of Commerce and other business groups;
- Groups representing travel modes – transit, bicycle, pedestrian, freight;
- Advocacy groups for the disadvantaged, minority groups, and limited English speaking individuals;
- Media – newspapers, television, radio;
- Governmental agencies;
- Organizations on historic preservation
- Iowa State University Student Government;
- Organizations or individuals who have been notified of public hearings for major projects, or organizations and individuals who have submitted written comments relating to public hearings for major projects. These individuals and organizations would remain on the mailing list as long as the major project is under development.

INFORMATION ACCESS

All planning, programming, and meeting information of the Ames Area MPO is available for public review. The information can be viewed at the Ames City Hall, 515 Clark Avenue, Room 212 and on the World Wide Web at <http://www.aampo.org>.

OUTREACH TECHNIQUES

Information about all MPO meetings will be added to the existing Public Meeting Calendar that is produced weekly and that is distributed to local newspapers (Ames Tribune, ISU Daily, local radio stations, and it is placed on the Ames Area MPO website. In addition, the agenda for the meetings will be posted at the Ames City Hall and on the www.aampo.org website, a minimum of twenty-four hours prior to the meetings.

Meeting information will also be included in the City of Ames newsletter, CitySide, and on social media as appropriate. This newsletter is published monthly and inserted into utility bills. Regular meetings, as well as special activities related to long-range transportation planning and project development would be included. Formal notices for public hearings are published in the Ames Tribune. Press releases to area newspapers, television stations, and radio stations will also be used to notify citizens of upcoming activities of the Ames Area MPO.

The City of Ames maintains a local government access cable channel (#12). Programs describing the activities of the Ames Area MPO will be included in the programming. In addition, the channel maintains a calendar, which will include information concerning all of the meetings.

The MPO's website, www.aampo.org, will be used to provide information about Ames Area MPO activities including information about the Transportation Planning Work Program, Passenger Transportation Plan, the Long Range Transportation Plan, and the Transportation Improvement Program. Translation services are available on the Ames

Area MPO website in over 90 languages. Over-the-phone translation services are also available to all persons contacting the Ames Area MPO.

Interested parties can sign up for the Ames Area MPO e-notification service through the Ames Area MPO website. The e-notification allows users to subscribe to weekly digest of upcoming meetings and events or to receive e-mails when news is posted on the website.

FEEDBACK

The Ames Area MPO accepts input and comments from the public through a variety of means:

Members of the public may make comments through the following mechanisms:

1. By phone: 515.239.5160
2. By fax: 515.239.5404;
3. By mail: to the
Ames Area MPO
515 Clark Avenue
Ames, IA 50010
4. Submitted via web form at www.aampo.org

The public may submit comments to Ames Area MPO staff or Transportation Policy Committee members for transmittal to the respective full committees. Comments on Ames Area MPO plans, reports, and programs may be made at public input meetings. The Ames Area MPO ensures that all public input meeting locations are accessible in accordance with the Americans with Disabilities Act.

Members of the public, or a representative of a group, with expressed comments on a particular topic may request of the Ames Area MPO Chair an appointment to serve as a citizen representative on an appropriate subcommittee if one is activated.

Interested members of the public will be able to offer input to the Transportation Policy Committee at public hearings.

The Ames Area MPO will consider and respond to all public input received during the planning and program development processes. If significant written or oral comments are received on the long range transportation plan, Transportation Improvement Program, Transportation Planning Work Program, or Passenger Transportation Plan, a summary, analysis, and report on the disposition of the comments will be made a part of the final document.

PROCEDURAL NOTICES AND PROCESSES

Public Participation Plan

The Public Participation Plan outlines how the MPO will engage the community to have a well-informed participants able to contribute meaningful input to transportation decisions through a variety of locally developed strategies. A minimum public comment period of 45 days will be established prior to Public Participation Plan adoption or revision.

Long Range Transportation Plan

The Long Range Transportation Plan (LRTP) contains future transportation plans for at least a 20 year planning horizon to address major transportation needs in the Ames area. The LRTP must be updated every five years.

Two or more public meetings shall be held to present new or major updates to the Long Range Transportation Plan prior to adoption. At least one of these meetings shall be held a minimum of 30 days prior to adoption of the Long Range Transportation Plan to provide for a 30-day comment period.

Transportation Improvement Program

The Transportation Improvement Program (TIP) is a four-year schedule of projects to improve or maintain the quality of the public transportation network. A new TIP is developed and adopted annually. One public meeting shall be held to present the Transportation Improvement Program to the public. The meeting shall be held prior to the adoption of the program.

Amendments to the TIP which update or adjust project cost, schedule changes, funding sources, or scope changes that are considered a major change require approval by the Transportation Policy Committee. These amendments will be presented to the Transportation Policy Committee and a public comment period opened, which will last until the next Transportation Policy Committee meeting. The comment period will last 3 – 4 weeks.

Minor changes to the Transportation Improvement Program, known as administration modifications, will be processed internally and shared with the Transportation Policy Committee and the public as informational items.

Passenger Transportation Plan

The Ames Passenger Transportation Plan (PTP) is an effort of providing key community decision makers with the knowledge of how individuals are currently being transported throughout Ames, the additional transportation needs and service requests identified, and recommended strategies or projects to overcome these needs. The Passenger Transportation Plan will be developed in coordination with a Transportation Advisory Group (TAG)

Amendments to the Passenger Transportation Plan will be required when any changes are made to proposed Section 5310 funded projects. Amendments will be presented to

the Transportation Advisory Group for review. These amendments will be presented to the Transportation Policy Committee and a public comment period opened, which will last 3 – 4 weeks until the next Transportation Policy Committee meeting.

EVALUATION

The Ames Area MPO will monitor the Public Participation Plan periodically in order to evaluate the effectiveness of the procedures outlined in this document. At a minimum, the plan should be evaluated and updated along with the long range transportation plan every five years. Following evaluation of the outputs and outcomes of the Public Participation Plan, the Ames Area MPO may revise these methods to incorporate new and innovative ways to involve the public in the transportation decision-making process.

CONTACT INFORMATION

The Ames Area MPO believes firmly in the essential role of the public in the transportation planning process, welcoming any and all comments from citizens or groups concerning transportation issues.

The Ames Area MPO may be contacted at the following:

Ames Area Metropolitan Planning Organization
515 Clark Avenue
Ames, IA 50010
Phone: (515) 239-5160
Fax: (515) 239-5404
Website: <http://www.aampo.org>

List of Ames Area MPO Staff contact information is available at:
<http://www.cityofames.org/government/ames-area-metropolitan-planning-organization/staff-contact-information>

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

MAY 10, 2016

The Regular Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 6:00 p.m. on the 10th day of May, 2016, in the City Council Chambers in City Hall, 515 Clark Avenue. Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem were present. *Ex officio* Member Sam Schulte was also in attendance.

Mayor Campbell announced that the Council would be working off an Amended Agenda. Item No. 19 pertaining to the South Skunk River Basin Watershed Improvements (Ames City Hall Parking Lot Reconstruction) had been pulled due to the Iowa Department of Natural Resources not yet signing off on the plans and specifications. Change Order No. 3 had been added under Item No. 36 (ISU Research Park, Phase III - Water Main and Sanitary Sewer Construction). The *Municipal Code* Section applicable to Item No. 49 was corrected to read "102."

PRESENTATION OF "A HOME FOR EVERYONE AWARD:" Ames Human Relations Commission Chairperson Amy Junke presented the 2016 "A Home for Everyone Award" to Jennifer Ellis. This Award is given to an overachiever in the community who advocates for and practices fair housing practices.

PROCLAMATION FOR 10TH ANNIVERSARY OF CYCLONE COUNTRY AKTION CLUB: Mayor Campbell proclaimed May 2016 as the 10th Anniversary of the Cyclone Country Aktion Club and commended them for their service to the community. Accepting the Proclamation were Lisa Thogerson, Missy Wierson, Barb Gauger, Joshua Dobbs, Dave Seaton, Dennis Airhart, Rob Sage, and Brendan Amstead.

Ms. Thogerson invited the public to a celebration to occur on May 17, 2016, at 3:30 p.m. at the First United Methodist Church in observance of the Aktion Club's 10th Anniversary.

PROCLAMATION FOR "NATIONAL PUBLIC WORKS WEEK:" May 15 - 21, 2016, was proclaimed by Mayor Campbell as "National Public Works Week." Municipal Engineer Tracy Warner and Operations Manager Justin Clausen accepted the Proclamation on behalf of the City of Ames Public Works Department.

Ms. Warner thanked the Mayor and City Council for their support of the Public Works Department.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Special Meeting of April 19, 2016, and Regular Meeting of April 26, 2016
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for April 16-30, 2016
5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:

- a. Class E Liquor, C Beer, & B Wine – Walgreen’s #12108, 2719 Grand Avenue
 - b. Class B Beer – Jeff’s Pizza Shop, 2402 Lincoln Way
 - c. Class C Liquor – Mother’s Pub, 2900 West Street
 - d. Class C Liquor – Bar La Tosca, 400 Main Street
 - e. Class B Beer – Chicha Shack, 131 Welch Avenue
 - f. Class C Beer & B Wine – Tobacco Outlet Plus #530, 204 South Duff Avenue
 - g. Special Class C Liquor – Octagon Center for the Arts, 427 Douglas Avenue
 - h. Class C Liquor and B Wine – Della Viti, 323 Main Street, #102
6. Motion approving 5-day (May 27-May 31) Special Class C Liquor License & Outdoor Service for Gateway Market MLK at Reiman Gardens, 1407 University Boulevard
 7. Motion approving 5-day (June 4-June 8) Special Class C Liquor License & Outdoor Service for Gateway Market MLK at Reiman Gardens, 1407 University Boulevard
 8. Motion approving Ownership Change of Class B Wine, Class C Beer, and Class E Liquor License for Walgreens #12108, 2719 Grand Avenue
 9. RESOLUTION NO. 16-235 confirming reappointment of Sam Schulte as Government of the Student Body *ex officio* representative to City Council
 10. RESOLUTION NO. 16-236 confirming appointments of Steven Valentino and Cole Staudt to serve as Government of the Student Body representatives on Ames Transit Agency Board of Trustees
 11. RESOLUTION NO. 16-237 setting date of public hearing for May 24, 2016, granting Public Utility Easement to Iowa State University along South Riverside Drive
 12. Alley between North Dakota Avenue and Delaware Avenue between Toronto Street and Reliable Street:
 - a. RESOLUTION NO. 16-238 setting date of public hearing for May 24, 2016, regarding vacating alley
 - b. RESOLUTION NO. 16-239 setting date of public hearing for June 28, 2016, for sale of vacated portion of alley
 13. Requests from Ames Patriotic Council for Memorial Day Parade on Monday, May 30, 2016:
 - a. RESOLUTION NO. 16-240 approving closure of Parking Lot M and Parking Lot N from 9:00 a.m. until approximately 11:00 a.m. for parade staging
 - b. RESOLUTION NO. 16-241 approving closure of 5th Street from Grand Avenue to Clark Avenue from 9:00 a.m. until 11:00 a.m. for line-up and start of parade
 - c. RESOLUTION NO. 16-242 approving temporary closure of Clark Avenue (from 5th Street to 9th Street), 9th Street (from Clark to Maxwell), 6th Street (at Clark) and Duff Avenue (at 9th Street), as parade moves through intersections
 14. Requests from Main Street Cultural District (MSCD) for spring/summer events:
 - a. ArtWalk on Friday, June 3:
 - i. Motion approving blanket Temporary Obstruction Permit for MSCD sidewalks from 3:00 p.m. to 8:00 p.m. and blanket Vending License from 8:00 a.m. to 8:00 p.m.
 - ii. RESOLUTION NO. 16-243 approving waiver of parking meter fees and enforcement for MSCD from 3:00 p.m. to 6:00 p.m.
 - iii. RESOLUTION NO. 16-244 approving waiver of fee for blanket Vending License

- iv. RESOLUTION NO. 16-245 closure of 12 parking spaces near intersection of Main Street and Kellogg Avenue for food vendors
- 15. 4th of July Activities:
 - a. Requests of MSCD:
 - i. Motion approving blanket Temporary Obstruction Permit for MSCD from 8:00 a.m. to 2:00 p.m. on Monday, July 4
 - ii. RESOLUTION NO. 16-246 approving waiver of utility fees for use of electrical outlets
 - iii. Parade on Monday, July 4:
 - (1) RESOLUTION NO. 16-247 approving closure of portions of Main Street, Northwestern Avenue, Fifth Street, Douglas Avenue, Burnett Avenue, Kellogg Avenue, Clark Avenue, Allan Drive, and Pearle Avenue from 6:00 a.m. until end of parade
 - (2) RESOLUTION NO. 16-248 approving closure of Parking Lot M and MM, Parking Lot N, Depot Lots V and TT from 6:00 a.m. to 2:00 p.m.
 - b. Request of City of Ames:
 - i. RESOLUTION NO. 16-249 approving closure of Clark Avenue between 5th Street and 6th Street from 5:00 p.m. on Sunday, July 3, until conclusion of parade on July 4 for City Council Community Pancake Breakfast
- 16. RESOLUTION NO. 16-251 approving amendment to Professional Services Agreement with Veenstra & Kimm of West Des Moines, Iowa, in an amount not to exceed \$135,498 for 2014/15 West Lincoln Way Intersection Improvements (Lincoln Way and Franklin)
- 17. RESOLUTION NO. 16-252 approving extension of lease for Parking Lot T
- 18. RESOLUTION NO. 16-253 awarding contract to Graymont Western Lime, Inc., of West Bend, Wisconsin, in the amount of \$154/ton for FY 2016/17 Pebble Lime
- 19. RESOLUTION NO. 16-254 awarding contract to Hawkins Water Treatment Group of Slater, Iowa, in the amount of \$.725/gallon at an estimated total cost of \$72,500 for FY 2016/17 Liquid Sodium Hypochlorite
- 20. RESOLUTION NO. 16-255 awarding contract to Independent Salt Company of Kanopolis, Kansas, in the amount of \$70.30/ton for purchase of Rock Salt for 2016/17 Ice Control Program
- 21. RESOLUTION NO. 16-256 awarding contract to Terry Durin Company of Cedar Rapids, Iowa, in the amount of \$51,263 for purchase of LED Luminaires for Electric Services
- 22. RESOLUTION NO. 16-257 awarding contract to Harrison Truck Center of Altoona, Iowa, in the amount of \$253,115 for purchase of Crane Truck
- 23. RESOLUTION NO. 16-258 approving renewal of contract with Itron, Inc., of Liberty Lake, Washington, in an amount not to exceed \$500,000 for purchase of FY 2016/17 Radio Units, Water Meters, and Related Parts and Services
- 24. Non-Asbestos Insulation and Related Services and Supplies for Power Plant:
 - a. RESOLUTION NO. 16-259 approving renewal of contract with Total Insulation Mechanical, Inc., of Ames, Iowa, in an amount not to exceed \$100,000
 - b. RESOLUTION NO. 16-260 approving contract and bond
- 25. RESOLUTION NO. 16-261 approving contract and bond for WPC Facility Three-Year

Biosolids Disposal Operation

26. RESOLUTION NO. 16-262 approving contract and bond for WPC Facility Clarifier Drive Replacement Project
27. RESOLUTION NO. 16-263 approving contract and bond for 2015/16 Concrete Pavement Improvements Program #2, and 2015/16 Water System Improvements Program #3 (North 2nd Street)
28. RESOLUTION NO. 16-264 approving contract and bond for 2015/16 Shared Use Path Expansion (South Dakota Avenue)
29. RESOLUTION NO. 16-265 approving contract and bond for 2015/16 Airport Improvements Taxiway Rehabilitation (Runway 01/19)
30. RESOLUTION NO. 16-266 approving Change Order No. 1 for 2015/16 Chemical Treatment Program for Power Plant
31. RESOLUTION NO. 16-267 approving Change Order No. 4 to Professional Services Agreement with BrownWinick of Des Moines, Iowa, for legal services for 161 kV Tie Line Franchise
32. ISU Research Park, Phase III - Water Main and Sanitary Sewer Construction:
 - a. RESOLUTION NO. 16-250 approving Change Order No. 3
 - b. RESOLUTION NO. 16-268 accepting completion
33. RESOLUTION NO. 16-269 approving Plat of Survey for 122 Hayward Avenue
34. RESOLUTION NO. 16-270 approving Plat of Survey for 104 and 124 Hazel Avenue
35. RESOLUTION NO. 16-271 approving Final Major Plat for Hayden's Crossing (5400, 5440, and 5442 Grant Avenue)

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

PUBLIC FORUM: Mayor Campbell opened Public Forum.

Dan Culhane, Executive Director of the Ames Economic Development Commission, 304 Main Street, Ames, announced that this week is International Economic Development Week (May 8 - 12). Mr. Culhane thanked the Mayor and City Council members for their support of economic development projects. He noted that Ames is a very rich economic development community and gave several examples of developments that had occurred within the past year.

Ames High School students Jay Amin, 3518 Honeysuckle Road, Ames, and Kylie Morken, 416 - 18th Street, Ames, spoke hoping to raise awareness of and issue a call to action for BPA-free receipts. Ms. Morken advised that it has been found that store receipt paper contains BPA, which is known to cause harmful diseases to the body. Mr. Amin said that the receipt paper also contains BPS and BPF, also both harmful chemicals. According to Ms. Morken BPA-, BPS-, and BPF-free receipt paper is now available. Mr. Amin encouraged the public to go to their Web site (changereceipts.org) to learn more about their goal to make all receipts toxin-free.

Jamet Colton, 2226 Northwestern Avenue, Ames, introduced herself as a member of the Ames Progressive Alliance. Ms. Colton said that the mission of the Progressive Alliance is to support

community groups with their goals and empower all residents to impact their community. According to Ms. Colton, the students from Ames High School had reached out to the Progressive Alliance for assistance with their project. She stated that the Ames Progressive Alliance was very supportive of the Ames High School students' project for BPA-free receipts.

Jess Calhoun, 2304 Fillmore Avenue, Ames, also introduced herself as a member of the Ames Progressive Alliance. She added that she knows the Ames City Council shares the desire to empower all residents. Ms. Calhoun said that the Ames Progressive Alliance looks forward to working with the City Council on future projects.

Mayor Campbell closed Public Forum after no one else came forward to speak.

POLICY FOR NAMING PARKS AND RECREATION FACILITIES: Director Keith Abraham reviewed the changes to the Policy that had been requested by the City Council at its April 12, 2016, meeting. Mr. Abraham explained the changes that had been made to Section 4b, *Naming/Renaming for Outstanding Individuals*. Also, it had been brought to his attention that the Council, on April 12, 2016, had directed staff to look at creating more flexibility in the policy in relation to donors and keep it at more of a staff/Council review and also have the possibility of corporate naming. Therefore Section 4c., *Naming/Renaming for Major Donations*, had been revised to coincide with the Council's direction.

At the inquiry of Mayor Campbell, Mr. Abraham stated that he believed the pending naming request would go before the Parks and Recreation Commission in June.

Moved by Nelson, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 16-272 approving the Parks and Recreation Naming Policy, as revised.

Council Member Gartin stated that he would be voting in favor of the motion; however, he still preferred that there be a one-year waiting period since the time of a person's death. He hopes that it would something considered in the future.

Council Member Orazem offered that he preferred that the individual not necessarily have to have a connection to the park, recreational facility, or major feature being requested to be named.

Teresa Downing-Matibag, 1005 Jarrett Circle, Ames, thanked the City Council for the effort they put into the creation of the Policy. She also thanked the City Parks and Recreation Department for its outstanding programs that had been enjoyed by her three children. Ms. Downing-Matibag explained that she was generally in favor of the Policy, but would like to see 5b.3, where it states to "Seek input from relevant neighborhood association(s), historical groups, and other organizations, if deemed appropriate," to include "communities of interest."

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

FINAL MINOR PLAT FOR U-HAUL SUBDIVISION, 1ST ADDITION: City Planner Charlie Kuester told the Council that Amerco Real Estate desires to purchase land adjacent to the 720 South Duff property to expand its operations. Amerco Real Estate owns the property on which the U-Haul business at 710 South Duff Avenue is already located. Amerco also owns the one-acre parcel to the rear at 720 South Duff Avenue on which a metal building formerly owned by Ames Rental is located. B & D Land Company owns a large 42-acre farm tract south and east of the Amerco land, lying along the north bank of Squaw Creek. Amerco seeks to acquire 3.34 acres of the B & D Land property and combine it with the one-acre parcel in order to expand the U-Haul business. The proposed plat would create three lots. Lot 1 would be for an expanded U-Haul site. Outlot A is the remaining agricultural land retained by B & D Land Company. Outlot B is a small piece at the far west that will be dedicated to the Iowa Department of Transportation (IDOT) for street right-of-way (it currently is an easement, but the plat will deed that portion to the IDOT). Lot 1 (4.32 acres) includes the former metal storage building used by Ames Rental. It would include the long narrow 19-foot-wide piece of land that extends to South Duff Avenue. That piece includes an access easement used by U-Haul, B & D Land Company, Boston Commons (the strip mall to the south), and the future Jimmy Johns to the north. Although this strip of land provides access to the property, it does not provide the required lot frontage to meet zoning requirements to allow for a subdivision.

According to Mr. Kuester, the applicant is requesting a waiver from the 35-foot lot frontage requirement as part of the minor subdivision process. Lot 1 would also have a Floodway Easement to the City over that portion that lies in the Floodway. That Easement restricts uses to only vegetative cover—no building or structure (including paving) may be placed within it. The Easement is in response to City staff describing the concerns of development in the Floodway and the recent amendments to the Environmentally-Sensitive Areas Overlay and Flood Plain Regulations. It also prevents any development on that site unless the City vacates the Easement to allow it. Lot 1 also proposes a north-south access easement extending from the Wal-Mart property to the B & D outlot to the south. That easement will be the basis for a ‘backage’ road system and allow the lots lying south to have access to the Wal-Mart property. With the acquiescence of Wal-Mart in the future, that will allow all these properties to have access to the proposed new traffic signal in front of Wal-Mart.

Council Member Beatty-Hansen asked whether this was an appropriate time to ask about acquiring an easement from B & D Land for a bike path. She noted that that path is shown in the Long-Range Transportation Plan. Municipal Engineer Warner said that the location was not decided yet. Planning and Housing Director Kelly Diekmann said that it is not known at this time whether the bike path facility was absolutely necessary.

Council Member Orazem noted the importance of having a way of solving the access to Duff Avenue around the backs of those properties; that appears to have been taken care of with the backage road. Planner Kuester stated that the easement document has been prepared and will be recorded as part of the platting documents.

At the inquiry of Council Member Gartin, Randy Dickson, 6310 Douglas, Des Moines, representative of U-Haul, said that he had not heard any comments from any adjoining property owners.

Mr. Kuester noted that the City Council, in February 2015, rezoned the one-acre parcel with the metal building to Highway Oriented Commercial (HOC). Once the Subdivision is approved, Amerco will be seeking to have the remaining portion of the new Lot 1 rezoned to HOC. Outlot A (39.25 acres) is the remainder of the B & D Land Company parcel. It has been used for row crops except for the stand of trees along the north bank of Squaw Creek. Almost the entire parcel lies within the Floodway. It is zoned Agriculture, which is consistent with the Land Use Policy Plan designation. There are no plans for a rezoning. This parcel will have no frontage to a public right-of-way. The applicant is requesting a waiver from this requirement as the site is an unbuildable outlot in its current configuration.

Council Member Gartin asked if staff anticipates any long-term negative consequences from the approval of this Subdivision. Planner Kuester said that he did not see any downsides. Director Diekmann recommended that the City seek a contract zoning agreement that controls the density to be approved with the rezoning.

Waiver Request. Planner Kuester advised that the Ames Subdivision Code requires lots to be created that meet the development standards of the Zoning Ordinance. The standard at issue relates to the minimum requirement for street frontage. Agriculture-zoned lots require 35 feet and lots zoned Highway-Oriented Commercial require 50 feet. The existing lots do not currently meet these standards as the current frontage is 19 feet. Section 23.103 allows the City Council to grant a waiver if strict compliance with the Ordinance creates a hardship or is found to be inconsistent with the purpose of the regulations due to unusual topography or other conditions. The Amerco lot with the metal building currently has no frontage; the B & D Land Company parcel has the 19-foot-wide frontage on South Duff Avenue. The proposed plat does not increase the number of the non-conforming lots with inadequate frontage, but it does swap those non-conformities among the parcels. The enlarged Amerco lot will have the 19-foot frontage on South Duff Avenue. The remaining B & D Land Company outlot will have no frontage. The outcome will be that the developable lot (the Amerco site) will have frontage, albeit only 19 feet and the B & D lot (the outlot retained for continued farming) will have no frontage (albeit it will have access via an easement). The proposed lot pattern does meet the Subdivision Code standard of ensuring that each lot has access to a public way. The City would not have approved such an arrangement, and it appears that it may have been this way since at least annexation in 1962. Staff believes there are unusual historical development patterns, not the result of the current property owners, which make strict compliance impossible. The only alternative to meet the requirement would be for Amerco to acquire additional properties to provide that street frontage. Since the other parcels are developed with commercial uses, it would require the relocation of those businesses in order to accommodate the requirement for street frontage. Staff believes that because of this circumstance and limited level of proposed use for the properties, the proposal meets the extraordinary hardship requirement. Staff further believes the waivers, if granted, would allow for safe and convenient access to all properties in the manner that they currently enjoy.

U-Haul, in the name of Amerco, acquired the former Ames Rental properties in 2014. While there have been zoning, flood plain, and subdivision challenges, U-Haul has continued to move forward in an effort to expand their business. The approval of the Subdivision will allow the purchase of about 3.32 acres from B & D Land Company to be finalized.

The proposed Subdivision meets Minor Final Plat requirements as it did not need additional public infrastructure. There is sewer and water to serve the site and sidewalks along the frontage of South Duff Avenue. The granting of the floodway easement to the City ensures that this portion of the floodway will not be developed. And the granting of the new north/south access easement will assist other lots in obtaining access to the proposed traffic signal once it is installed.

According to Mr. Kuester, staff supports the request to waive the zoning requirements for street frontage. The circumstances of the existing lot lines, businesses, and access easements preclude the proposed plat from meeting this requirement without acquisition of significant properties on South Duff Avenue. These circumstances are not the result of any action taken by the two property owners involved in the plat and may have been an historical anomaly prior to annexation.

Moved by Nelson, seconded by Betcher, to adopt RESOLUTION NO. 16-273 approving the Minor Final Plat for the U-Haul Subdivision First Addition, based upon findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, and plans and by approving the waiver to the Zoning Ordinance requirements for minimum street frontages.

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

HEARING ON REZONING, WITH MASTER PLAN, 3535 SOUTH 530TH AVENUE: City Planner Ray Anderson advised that the owner/developer of this property, Hunziker Development Company LLC, is requesting rezoning of five parcels of land totaling approximately 20 acres located at 3535 S. 530th Avenue (to be renamed as University Boulevard). This land is west of the ISU Research Park and south of the Wessex apartment development. The developer is seeking rezoning to develop the site with medium-density apartments along the west and north boundaries of the site and high-density apartments in the central portion of the site. The land was recently annexed to the City; thus, its current zoning designation is Agricultural.

Mr. Anderson reported that the rezoning request is for two separate zoning districts. Suburban Residential Medium Density (FS-RM) zoning is proposed for 13.36 acres along the perimeters of the site, and Residential High Density (RH) zoning is proposed for 6.48 acres on the interior of the site and extending to the south property line. It is anticipated that the number of units constructed in the FS-RM portion of the development will be within a range of a minimum of 100 units and a maximum of 120 units. A combination of two-story eight-unit buildings and two- and three-story 12-unit buildings are planned. The RH portion of the development is projected to include a range of 135 to 155 units in three-story buildings. Although not shown on the Master Plan, the developer has indicated that a variety of bedroom configurations will be provided with an emphasis on smaller units of one and two bedrooms. A note on the Master Plan states that “Buildings in RH will be limited to three stories and 36 units per building.” Following approval of the rezoning with a Master Plan, the developer will seek approval of a Preliminary Plat to divide the site into individual lots and to extend Cottonwood Road through the site to connect with S. 530th Avenue (University Boulevard). Approval of the construction of apartment units in the FS-RM zone will require City Council approval of a Major Site Development Plan with a public hearing. Approval of apartment units in the RH zone requires approval by City staff without a public hearing.

The Council was reminded that before the property in question was annexed by the City (on July 14, 2015), the Ames Urban Fringe Plan identified these parcels as properties within the “Southwest II Allowable Growth Area.” Upon annexation, the parcels were designated as “Village/Suburban Residential.” On January 12, 2016, the City Council amended the Future Land Use Map, of the Land Use Policy Plan (LUPP) to designate approximately 50 percent of the property as High-Density Residential, with 50 percent of the property remaining as “Village/Suburban Residential.” The Zoning Ordinance requires that a Master Plan be submitted as part of a rezoning petition for property with the FS zoning designations.

According to Planner Anderson, staff had concluded that the Master Plan identifies developable and undeveloped areas, range of uses and residential unit types consistent with the proposed FSRM and RH zoning districts. Staff believes the rezoning proposal is consistent with the objectives and LUPP Future Land Use Map.

Director Diekmann addressed Council Member Beatty-Hansen’s question about the development having one means of access/egress. He noted the criteria from the Land Use Policy Plan and Subdivision Code that governs that. He also noted that the Traffic Engineer believes that University Boulevard will be able to handle the traffic from this development.

Council Member Gartin noted that CyRide does not have capacity to service this development at this time.

Mayor Campbell opened the public hearing.

Justin Dodge, Hunziker Company, 105 S. 16th Street, Ames, showed the Preliminary Plat to indicate changes that had been made after receiving input from residents in the area and staff. It was noted that additional buffering and native grasses were added around the pond.

At the inquiry of Council Member Orazem, Mr. Dodge indicated that the proposed location of the multi-use trail was dictated by Story County and the ISU Research Park. It has not been determined who will be maintaining the trail.

Planner Anderson reported that, at the time of the LUPP Amendment, staff focused on the discussion of housing variety, building types, and transitions to adjacent properties during the evaluation of the site. According to Mr. Anderson, staff believes the proposed rezoning and its master plan have met the interest of establishing the housing types that are intended for development on the site, the desired transportation connections, and planned open spaces and transitions. Staff believes supporting rezoning of the site is appropriate based upon the Land Use Policy Plan goals, objectives and policies, and land use designations. The rezoning will allow for needed multi-family housing options to be developed near large employment areas of the City in the nearby Research Park and the College of Veterinary Medicine Campus.

Lorz Larrance, 3549 - 530th Avenue, Ames, expressed her frustration that the bus that serves Wessex

does not run in the morning. She works at the University and can take the bus home, but not to work. Ms. Larrance said that she hoped that would change in the future.

After no one else came forward to speak, the Mayor closed the hearing.

Moved by Orazem, seconded by Nelson, to pass on first reading an ordinance rezoning, with Master Plan, 3535 South 530th Avenue from Agricultural (A) to Suburban Residential Medium Density (FS-RM) and Residential High Density (RH).

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

Moved by Orazem, seconded by Betcher, to adopt RESOLUTION NO. 16-274 approving the Zoning Agreement.

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

HEARING ON ZONING TEXT AMENDMENT TO RESIDENTIAL LOW-DENSITY PARK ZONE MINIMUM BUILDING SETBACK AT EXTERIOR BOUNDARY LINE: Director Diekmann noted that Mike Flummerfelt, who had requested the text amendment in question, had emailed staff and asked that the hearing be continued to the first Council meeting in June.

Mayor Campbell opened the public hearing.

Moved by Nelson, seconded by Beatty-Hansen, to continue the hearing to June 14, 2016.

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

HEARING ON PROPOSED 2016/17 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN: Vanessa Baker-Latimer, Housing Coordinator, advised that the City must submit an Annual Action Plan to the federal Department of Housing and Urban Development (HUD) to receive Community Development Block Grant (CDBG) funds. The Annual Action Plan outlines program activities that will be undertaken to address or meet those goals and priorities outlined in the five-year Consolidated Plan. She reminded the Council that, on March 1, 2016, after taking into consideration input from the February public forums, the City Council approved the proposed 2016-17 Action Plan projects and directed staff to prepare the Plan for public comment. The Plan was made available for public comment from April 5 through May 5, 2016. No comments were received during this time frame. The Plan must be submitted to HUD on or before June 12, 2015.

Ms. Baker-Latimer reviewed the proposed projects that had been approved to be included in the Plan, as follows:

Homebuyer Assistance Program	\$ 50,000
Single-Family Housing Improvements Program	132,506
Acquisition/Reuse Program for Affordable Housing	155,000
Public Infrastructure Improvements Program for State Avenue (Old Middle School Site)	392,789

Public Facilities Improvement Program for Non-Profits	100,000
Renter Affordability (Deposits, Rent & Transportation, Childcare Assistance) Programs	40,000
Total Programming	870,295
2016-17 Program Administration	<u>118,197</u>
TOTAL	\$988,492

At the request of Council Member Gartin, Ms. Baker-Latimer explained the Child-Care Assistance Program.

Ms. Baker-Latimer explained the next steps planned to address development of the Old Middle School Site and the redevelopment of the 6th Street properties.

The public hearing was opened by Mayor Campbell. There being no one wishing to speak, the hearing was closed.

Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 16-275 approving the Annual Action Plan projects.

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

HEARING ON 2015/16 DOWNTOWN STREET PAVEMENT IMPROVEMENTS (CLARK AVENUE - LINCOLN WAY TO MAIN STREET): The Mayor opened the public hearing and closed same after no one asked to speak.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 16-276 approving final plans and specifications and awarding a contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$669,611.80.

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

HEARING ON 2015/16 TRAFFIC SIGNAL PROGRAM (UNIVERSITY BOULEVARD & U. S. HIGHWAY 30 WESTBOUND OFF-RAMP): Mayor Campbell opened the public hearing. No one came forward to speak, and the Mayor closed the hearing.

Council Member Beatty-Hansen raised a suggestion that had been made by Trevin Ward about possibly reducing the radius of the curve. Municipal Engineer Warner stated that she had not seen the suggestion. Ms. Beatty-Hansen indicated that she would forward it to Ms. Warner.

Moved by Nelson, seconded by Betcher, to accept the report of bids.

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

2015 DEVELOPMENT PROCESS USER SURVEY: John Hall, Business Development Coordinator for the City of Ames, gave a presentation on the 2015 Development Process User Survey. Mr. Hall noted that he was not in his current position when the Survey was conducted; however, he had prepared the summary of the results.

According to Mr. Hall, this was the fifth year of the Survey. In 2015, 353 surveys pertaining to the Inspections Division and 132 pertaining to the Planning Division were sent. Mr. Hall noted that the results were very positive overall. A summary of the results for both Divisions was presented by Mr. Hall.

Council Member Betcher questioned why the City was still asking about a “Can Do” attitude when it was no longer a City Council goal. City Manager Schinker said that that question was still needed to determine the City’s overall rating as far as promoting Ames as a welcoming place to do business.

Council Member Gartin asked if there was a way for a customer who has had a bad experience to share that information without the fear of retribution. Fire Chief Shawn Bayouth felt that the best way was for the respondent to remain anonymous. He noted that the goal of staff is to make the process better; it doesn’t matter who it is. Mr. Bayouth advised that he would hope that contractors and developers would inform staff of any negative experiences.

ORDINANCE ADJUSTING STORM WATER RATES: Moved by Nelson, seconded by Corrieri, to pass on first reading an ordinance adjusting the Storm Water Rates.
Roll Call Vote: 6-0. Motion declared carried unanimously.

ORDINANCE REVISING MUNICIPAL CODE SECTION 28.102 REGARDING ENERGY COST ADJUSTMENT (ECA): Director of Electric Services Donald Kom advised that Section 28, Division 1, of the City of Ames *Municipal Code* covers the general conditions for electric rates and charges. Section 28.102, *Energy Cost Adjustment*, reflects the method used to adjust rates caused by fluctuations in the fuel cost. That is necessary to avoid constant changes to the City’s electric rates. The language was originally included in the Code in 1985 and last modified on November 12, 2012. The current language functioned well when the City purchased coal because coal was contracted to the City on a delivered basis. The transition to natural gas results in daily price volatility for fuel and its delivery, which now requires a change in how the Energy Cost Adjustment is calculated. In order to correctly account for the fluctuations in natural gas and its separated delivery costs, the language of Section 28.102 must be updated to account for that change.

Mr. Kom advised that the adjustment is calculated using costs that were charged during the previous 12 months. By adopting this revision to the Ordinance, the ECA will be updated going forward. To properly calculate the ECA, all costs for natural gas and its delivery incurred to date will be captured in the new ECA calculation. In addition, since the time the ECA was first adopted, other cost variables have been included in the ECA calculation, such as transmission credits, the cost of wind energy, and energy market purchases and sales. The proposed *Code* revision does not change the overall rate methodology, but updates the language to align with current and planned future operating

conditions.

Moved by Nelson, seconded by Corrieri, to pass on first reading an ordinance revising *Municipal Code* Section 28.102 regarding the Energy Cost Adjustment.

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

ORDINANCE PERTAINING TO THE ENVIRONMENTALLY SENSITIVE AREA OVERLAY DISTRICT AND ITS APPLICABILITY TO ACTIVITIES WITHIN THE FLOODWAY: Moved by Beatty-Hansen, seconded by Orazem, to pass on third reading and adopt ORDINANCE NO. 4257 making a zoning text amendment pertaining to the Environmentally Sensitive Area Overlay District and its applicability to activities within the Floodway.

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

ORDINANCE ADDING ENVIRONMENTALLY SENSITIVE AREA OVERLAY TO PROPERTIES WITH A FEMA-DESIGNATED FLOODWAY: Moved by Betcher, seconded by Orazem, to pass on third reading and adopt ORDINANCE NO. 4258 making zoning map amendment to add Environmentally Sensitive Area Overlay to properties with a FEMA-designated Floodway.

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

ORDINANCE PERTAINING TO ALLOWED ACTIVITIES AND PROCESS FOR SEEKING APPROVALS FOR DEVELOPMENT IN FLOOD PLAIN CONTAINED IN MUNICIPAL CODE CHAPTER 9 (FLOOD PLAIN ZONING REGULATIONS): Moved by Corrieri, seconded by Gartin, to pass on third reading and adopt ORDINANCE NO. 4259 making a zoning text amendment pertaining to allowed activities and process for seeking approvals for development in Flood Plain contained in *Municipal Code* Chapter 9 (Flood Plain Zoning Regulations).

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

COUNCIL COMMENTS: Council Member Betcher noted that she is the City Council representative on the Downtown Housing Committee. She asked if one of her colleagues would be willing to attend the meeting, which will be scheduled for some time in the next two weeks, while she is out of the country. Council members are to communicate directly with Ms. Betcher if they are willing to attend the meeting.

Moved by Betcher, seconded by Beatty-Hansen, to direct staff to place the memo from the Planning and Housing Department regarding a text amendment for transitional housing use in residential zoning districts on a future agenda.

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

Moved by Beatty-Hansen, seconded by Betcher, to direct the City Manager to reach out to Iowa State University and inquire about potential plans that the University might have regarding adopting a Complete Streets Policy.

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

Moved by Gartin, seconded by Orazem, to direct staff to place the issue contained in the letter dated May 6, 2016, from Justin Dodge pertaining to reserved right-of-way at 3599 George Washington Carver on the May 24, 2016, Council Agenda.

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

Moved by Nelson, seconded by Orazem, to reconsider Item No. 37.

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

Moved by Orazem, seconded by Corrieri, to adopt RESOLUTION NO. 16-269 approving Item No. 37, the Plat of Survey for 122 Hayward Avenue.

Roll Call Vote: 5-0-1. Voting aye: Beatty-Hansen, Betcher, Corrieri, Gartin, Orazem. Voting nay: None. Abstaining due to a conflict of interest: Nelson. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

ADJOURNMENT: Moved by Corrieri, seconded by Beatty-Hansen, to adjourn the meeting at 8:01 p.m.

Ann H. Campbell, Mayor

Diane R. Voss, City Clerk

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

AMES, IOWA

MAY 20, 2016

The Ames City Council met in special session at 1:08 p.m. on May 20, 2016, in the Council Chambers of City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding. As it was impractical for all City Council members to attend in person, Bronwyn Beatty-Hansen, Amber Corrieri, Tim Gartin, and Chris Nelson were brought in telephonically. Council Members Gloria Betcher and Peter Orazem and *Ex officio* Member Sam Schulte were absent.

FIREWORKS PERMIT: Moved by Nelson, seconded by Beatty-Hansen, to approve the request from the Lampland Wedding for a Fireworks Permit for display from the ISU Alumni Center Parking Lot on May 21, 2016, at approximately 9:30 p.m.

Vote on Motion: 4-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Corrieri to adjourn the meeting at 1:09 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor



REPORT OF CONTRACT CHANGE ORDERS

Period:	<input checked="" type="checkbox"/>	1 st – 15 th
	<input type="checkbox"/>	16 th – End of Month
Month & Year:	May 2016	
For City Council Date:	May 24, 2016	

Department	General Description of Contract	Contract Change No.	Original Contract Amount	Contractor/ Vendor	Total of Prior Change Orders	Amount this Change Order	Change Approved By	Purchasing Contact (Buyer)
Public Works	2014/15 Seal Coat Street Pavement Improvements	1	\$749,019.84	Manatt's Inc.	\$0.00	\$2,750.00	T. Warner	MA
Electric Services	Geotube Bags for Power Plant Ash Pond	1	\$193,803.75	Geo-Synthetics LLC	\$0.00	\$38,015.00	B. Kindred	CB
Fleet Services	2016 Case 590 SN Tractor/Loader/Backhoe	1	\$96,282.00	Titan Machinery	\$0.00	\$13,736.86	C. Mellies	MA
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		

*Caring People
Quality Programs
Exceptional Service*

4a-c

TO: Mayor Ann Campbell and Ames City Council Members

FROM: Lieutenant Dan Walter – Ames Police Department

DATE: May 17th, 2016

SUBJECT: Beer Permits & Liquor License Renewal Reference City Council Agenda
May 24th, 2016

The Council agenda for May 24th, 2016, includes beer permits and liquor license renewals for:

- Class B Liquor – Gateway Hotel & Conference, 2100 Green Hills Dr.
- Class C Liquor – Old Chicago, 1610 S. Kellogg Avenue
- Class C Liquor – Fuji Japanese Steakhouse, 1614 S. Kellogg Avenue

A routine check of police records for the past twelve months found no violations for any of the above listed businesses. The police department recommends renewal of these licenses.

Applicant License Application ()

Name of Applicant: <u>LJPS Inc.</u>		
Name of Business (DBA): <u>Olde Main Brewing Company</u>		
Address of Premises: <u>900 Dayton Ave</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>
Business	<u>(515) 232-0553</u>	
Mailing	<u>PO Box 1928</u>	
City <u>Ames</u>	State <u>IA</u>	Zip: <u>50010</u>

Contact Person

Name <u>Matt Sinnwell</u>	Email <u>mattombc@gmail.com</u>
Phone: <u>(505) 400-5981</u>	

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

Term:5 days

Effective Date: 06/03/2016

Expiration Date: 01/01/1900

Privileges:

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

Status of Business

BusinessType: <u>Privately Held Corporation</u>
Corporate ID Number: <u>286196</u> Federal Employer ID <u>77-0613629</u>

Ownership

Scott Griffen

First Name: Scott **Last Name:** Griffen
City: Ames **State:** Iowa **Zip:** 50010
Position: Owner
% of Ownership: 50.00% **U.S. Citizen:** Yes

Susan Griffen

First Name: Susan **Last Name:** Griffen
City: Potomac **State:** Maryland **Zip:** 24854
Position: Owner
% of Ownership: 25.00% **U.S. Citizen:** Yes

Daniel Griffen

First Name: Daniel **Last Name:** Griffen
City: Ames **State:** Iowa **Zip:** 24854
Position: Owner
% of Ownership: 25.00% **U.S. Citizen:** Yes

Insurance Company Information

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

Applicant License Application ()

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

Contact Person

Name Matt Sinnwell
Phone: (505) 400-5981 Email mattombc@gmail.com

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

Term:5 days

Effective Date: 06/09/2016

Expiration Date: 01/01/1900

Privileges:

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

Status of Business

BusinessType: <u>Privately Held Corporation</u>
Corporate ID Number: <u>286196</u> Federal Employer ID <u>77-0613629</u>

Ownership

Scott Griffen

First Name: <u>Scott</u>	Last Name: <u>Griffen</u>	
City: <u>Ames</u>	State: <u>Iowa</u>	Zip: <u>50010</u>
Position: <u>Owner</u>		
% of Ownership: <u>50.00%</u>	U.S. Citizen: Yes	

Susan Griffen

First Name: <u>Susan</u>	Last Name: <u>Griffen</u>	
City: <u>Potomac</u>	State: <u>Maryland</u>	Zip: <u>24854</u>
Position: <u>Owner</u>		
% of Ownership: <u>25.00%</u>	U.S. Citizen: Yes	

Daniel Griffen

First Name: <u>Daniel</u>	Last Name: <u>Griffen</u>	
City: <u>Potomac</u>	State: <u>Maryland</u>	Zip: <u>24854</u>
Position: <u>Owner</u>		
% of Ownership: <u>25.00%</u>	U.S. Citizen: Yes	

Insurance Company Information

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

Name of Applicant: LJPS Inc.
Name of Business (DBA): Olde Main Brewing Company
Address of Premises: 420 Beach Ave
City Ames **County:** Story **Zip:** 50011
Business (515) 232-0553
Mailing PO Box 1928
City Ames **State** IA **Zip:** 50010

Contact Person

Name Matt Sinnwell
Phone: (505) 400-5981 **Email** mattombc@gmail.com

Classification Class C Liquor License (LC) (Commercial)

Term:5 days

Effective Date: 06/23/2016

Expiration Date: 01/01/1900

Privileges:

Class C Liquor License (LC) (Commercial)

Status of Business

BusinessType: Privately Held Corporation
Corporate ID Number: 286196 **Federal Employer ID** 77-0613629

Ownership

Scott Griffen

First Name: Scott **Last Name:** Griffen
City: Ames **State:** Iowa **Zip:** 50010
Position: Owner
% of Ownership: 50.00% **U.S. Citizen:** Yes

Daniel Griffen

First Name: Daniel **Last Name:** Griffen
City: Potomac **State:** Maryland **Zip:** 24854
Position: Owner
% of Ownership: 25.00% **U.S. Citizen:** Yes

Susan Griffen

First Name: Susan **Last Name:** Griffen
City: Potomac **State:** Maryland **Zip:** 24854
Position: Owner
% of Ownership: 25.00% **U.S. Citizen:** Yes

Insurance Company Information

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

Applicant License Application ()

Name of Applicant: <u>Chrstiani's Events LLC</u>		
Name of Business (DBA): <u>Christiani Events</u>		
Address of Premises: <u>420 Beach Avenue</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50011</u>
Business <u>(515) 360-8069</u>		
Mailing <u>1150 E. Diehl</u>		
City <u>Des Moines</u>	State <u>IA</u>	Zip: <u>50315</u>

Contact Person

Name Peter Worsham	
Phone: (515) 360-8069	Email peter@christianicatering.com

Classification Class C Liquor License (LC) (Commercial)

Term: 5 days

Effective Date: 06/18/2016

Expiration Date: 01/01/1900

Privileges:

Class C Liquor License (LC) (Commercial)

Status of Business

BusinessType: <u>Limited Liability Company</u>
Corporate ID Number: <u>0</u> Federal Employer ID <u>20-2195774</u>

Ownership

Carol Christiani

First Name: Carol

Last Name: Christiani

City: DesMoines

State: Iowa

Zip: 50321

Position: member

% of Ownership: 100.00%

U.S. Citizen: Yes

Insurance Company Information

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

Applicant License Application ()

Name of Applicant: Gateway Expresse, Inc

Name of Business (DBA): Burgies Coffee and Tea Company

Address of Premises: 420 Beach Ave

City Ames **County:** Story **Zip:** 50010

Business (515) 292-6769

Mailing 2400 University BLVD

City Ames **State** IA **Zip:** 50010

Contact Person

Name Andrew Burgason

Phone: (515) 292-6769 **Email** andrew@burgiescoffee.com

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

Term:5 days

Effective Date: 06/06/2016

Expiration Date: 01/01/1900

Privileges:

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

Status of Business

BusinessType: Privately Held Corporation

Corporate ID Number: 191776 **Federal Employer ID** 421448738

Ownership

Steve Burgason

First Name: Steve **Last Name:** Burgason

City: Ames **State:** Iowa **Zip:** 50014

Position: Owner

% of Ownership: 50.00% **U.S. Citizen:** Yes

Anne Burgason

First Name: Anne **Last Name:** Burgason

City: Ames **State:** Iowa **Zip:** 50014

Position: Owner

% of Ownership: 50.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company:

Policy Effective Date: **Policy Expiration**

Bond Effective

Dram Cancel Date:

Outdoor Service Effective

Outdoor Service Expiration

Temp Transfer Effective

Temp Transfer Expiration Date:

Applicant License Application ()

Name of Applicant: <u>Gateway Hotel & Conference</u>		
Name of Business (DBA): <u>Gateway Hotel & Conference Center LLC</u>		
Address of Premises: <u>2321 North Loop Drive</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50014</u>
Business <u>(515) 292-8600</u>		
Mailing <u>2100 Green Hills Drive</u>		
City <u>Ames</u>	State <u>IA</u>	Zip: <u>50014</u>

Contact Person

Name <u>Kerrie White</u>
Phone: <u>(515) 268-2202</u> Email <u>kerriew@gatewayames.com</u>

Classification Class C Liquor License (LC) (Commercial)
Term: 5 days
Effective Date: 06/15/2016
Expiration Date: 01/01/1900
Privileges:
Class C Liquor License (LC) (Commercial)
Outdoor Service
Status of Business

BusinessType: <u>Limited Liability Company</u>
Corporate ID Number: <u>465157</u> Federal Employer ID <u>46-4160164</u>

Ownership
Friends Of ISU Hotel Holdings

First Name: Friends Of ISU **Last Name:** Hotel Holdings
City: Des Moines **State:** Iowa **Zip:** 50309
Position: Partner
% of Ownership: 100.00% **U.S. Citizen:** Yes

Doug Drees

First Name: Doug **Last Name:** Drees
City: Des Moines **State:** Iowa **Zip:** 50309
Position: manager
% of Ownership: 0.00% **U.S. Citizen:** Yes

Michelle Mathews

First Name: Michelle **Last Name:** Mathews
City: Des Moines **State:** Iowa **Zip:** 50309
Position: Controller

% of Ownership: 0.00%

U.S. Citizen: Yes

Insurance Company Information

Insurance Company: <u>General Casualty</u>	
Policy Effective Date:	Policy Expiration
Bond Effective	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective	Temp Transfer Expiration Date:

COUNCIL ACTION FORM

SUBJECT: NATIONAL REGISTER OF HISTORIC PLACES ELIGIBILITY FOR THE MASONIC TEMPLE AT 413, 417, 427 AND 429 DOUGLAS AVENUE

BACKGROUND:

The City has received a request for a recommendation of National Register eligibility for the Masonic Temple, located at 413, 417, 427 and 429 Douglas Avenue (see *Attachment A – Location Map*). The nomination was submitted to the City by the State Historic Preservation Office (SHPO), after first being submitted to SHPO by William C. Page, Public Historian at the request of the property owner. The complete National Register Nomination, and photographs, for the Masonic Temple, are available at the Ames Public Library, and may be found at the following links:

National Register Nomination: <http://www.cityofames.org/home/showdocument?id=27287>
Photographs for Nomination: <http://www.cityofames.org/home/showdocument?id=27285>

As a Certified Local Government (CLG), one of the City Council’s responsibilities is to review National Register nominations on any property that lies within the boundaries of the city. Nominations are first submitted to the State Historic Preservation Office, and a copy of the nomination is then sent to the CLG for review and comment. After allowing for public comment, the Commission and the Mayor are to decide if the property meets the criteria of the National Register.

The State Historical Society of Iowa is required to provide the City with a 60-day period for the review from the date the nomination is received by the City. The City received a copy of the nomination on April 6, 2016. **The State Nominations Review Committee (SNRC) plans to consider the nomination of the Masonic Temple at its June 10, 2016 meeting. That meeting will be held at the Historical Building in Des Moines, Iowa.**

The property owner is the Ames Society for the Arts (deed holder) (Octagon for the Arts, as commonly known). The applicant has selected **National Register Criterion “A” and “B”** as being applicable to this application. Criterion A and B are described as follows:

- Criterion A are those properties that are associated with events that have made significant contribution to the broad patterns of our history;
- Criterion B are those properties that are associated with the lives of significant persons in our past.

The completed nomination forms include a summary of the significance of the Masonic Temple (see *Attachment B – Summary of Significance*).

The question to be answered by the Mayor and City Council, is whether the nominated property meets the National Register of Historic Places significance Criterion A and B.

Historic Preservation Commission Recommendation. At the Historic Preservation Commission meeting on May 9, 2016, the Commission voted 6-0 to find that the nomination of the Masonic Temple to the National Register of Historic Places meets National Register Significance Criterion A and B, and recommended National Register eligibility to the State Nominations Review Committee

ALTERNATIVES:

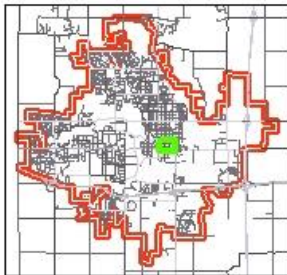
1. The City Council finds that the nomination of the Masonic Temple at 413, 417, 427 and 429 Douglas Avenue, to the National Register of Historic Places, meets National Register Significance Criterion A and B and recommends National Register eligibility to the State Nominations Review Committee.
2. The City Council finds that the nomination of the Masonic Temple at 413, 417, 427 and 429 Douglas Avenue, to the National Register of Historic Places, does not meet the National Register Significance Criterion A and B, and recommends National Register ineligibility to the State Nominations Review Committee.
3. The City Council can postpone this request for additional information from the applicant and/or City staff.

MANAGER'S RECOMMENDED ACTION:

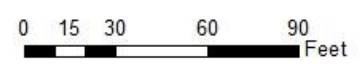
City staff believes that the information provided in the application provides a solid basis for a determination of significance under Criterion A and B. Wallace M. Greeley was one of Ames' most notable citizens, and the Masonic Temple calls attention to the life of Mr. Greeley and his substantial contributions to the Ames community.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby finding that the nomination of the Masonic Temple at 413, 417, 427 and 429 Douglas Avenue, to the National Register of Historic Places, meets National Register Significance Criterion A and B and recommends National Register eligibility to the State Nominations Review Committee.

Attachment A – Location Map



Location Map
Masonic Temple
413, 417, 427, 429 Douglas Ave.



Attachment B – Summary of Significance

NPS Form 10-900-a
(Rev. 8/86)

NPS/William C. Page, Public Historian, Word Processor Format
(Approved 06/02/89)

OMB No. 1024-0018

United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES CONTINUATION SHEET

Section number 8 Page 10

CFN-259-1116

Masonic Temple, Story County, Iowa.

SUMMARY OF SIGNIFICANCE

Begun in 1916 and completed in 1917, the Masonic Temple is National Register eligible, locally under Criterion A, because it calls attention to a high point of progressive era construction in Downtown Ames. Together with a handful of other downtown public and semi-public buildings of note, the construction of the Masonic Temple signaled Ames' emergence from a rural town to a modern Iowa city. As one local newspaper reported at the time:

From present indications the improvement record in Ames this year will be the greatest thus far in its history and this new structure [the Masonic Temple] will be one of the big additions to the city. (*Ames Weekly Tribune*, April 6, 1916)

Further, the Masonic Temple promoted the expansion of Downtown Ames. Its construction solidified Douglas Avenue and 5th Street as emerging corridors of commercial importance in the central business district.

The Masonic Temple is significant, locally under Criterion B, because it calls attention to the life of Capt. Wallace M. Greeley, an Ames banker and civic leader. Greeley's career in Ames spanned more than 50 years, at various times as its mayor and as its district representative to the Iowa House of Representatives. Greeley commissioned the erection of the Temple Block, a notable example of his many philanthropic contributions to the city.

The period of significance under Criteria A and B is 1917-1918, the time in Ames' progressive era when the Masonic Temple was constructed, solidified the emergence of 5th Street as a commercial corridor, and called attention to the boosterism and civic philanthropy of Capt. Wallace M. Greeley. The year 1917 is a significant date for these reasons.

The property contains one resource for this nomination, the Masonic Temple itself, which is contributing and classified as a building.

The Masonic Temple fulfills the registration requirements of the *A Home for Science and Technology, Ames, Iowa, 1864-1941 MPD* because it directly illustrates "Patterns of Community Development" and "Town Building:" 1) during the period of significance of these historic contexts, 2) as associated with the evolution of land use, and 3) as associated with Capt. Wallace M. Greeley.

COUNCIL ACTION FORM

SUBJECT: **ENCROACHMENT PERMIT FOR AWNINGS AT 413
NORTHWESTERN AVENUE (WHEATSFIELD COOPERATIVE)**

BACKGROUND:

The owner of the property at 413 Northwestern Avenue is seeking approval for an encroachment permit that would allow four awnings to hang into the public right-of-way. The proposed awnings are projecting awnings mounted to the face of the building. They will extend three (3) feet over the sidewalk, but will not affect use of the sidewalk.

Chapter 22.3(3) of the Ames Municipal Code requires approval of the Encroachment Permit Application by the Ames City Council before permits can be issued. By signing the application, the Owner has agreed to hold harmless the City of Ames against any loss or liability as a result of the encroachment, to submit proof of insurance, and to pay a fee for the encroachment. The owner also understands that this approval may be revoked at any time by the City Council. Upon receipt of proof of insurance, a payment of \$64.20, and Council approval, the Inspection Division will issue a permit for the encroachment.

ALTERNATIVES:

1. Approve the application allowing the applicant to erect four awnings once the permit has been issued.
2. Modify the application allowing the applicant to erect four awnings, with modifications, once the permit has been issued.
3. Deny the application prohibiting the applicant from placing the proposed awnings over the public way.

MANAGER'S RECOMMENDED ACTION:

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



720 E. Lincoln Way, Ames, Iowa 50010

515-232-4738

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Sales Contact: Jason Schneider
Graphic Designer: Jason Schneider

proof accepted

CUSTOMER INITIALS



Signage & Awning Rendering

AWNING #1



AWNING #2



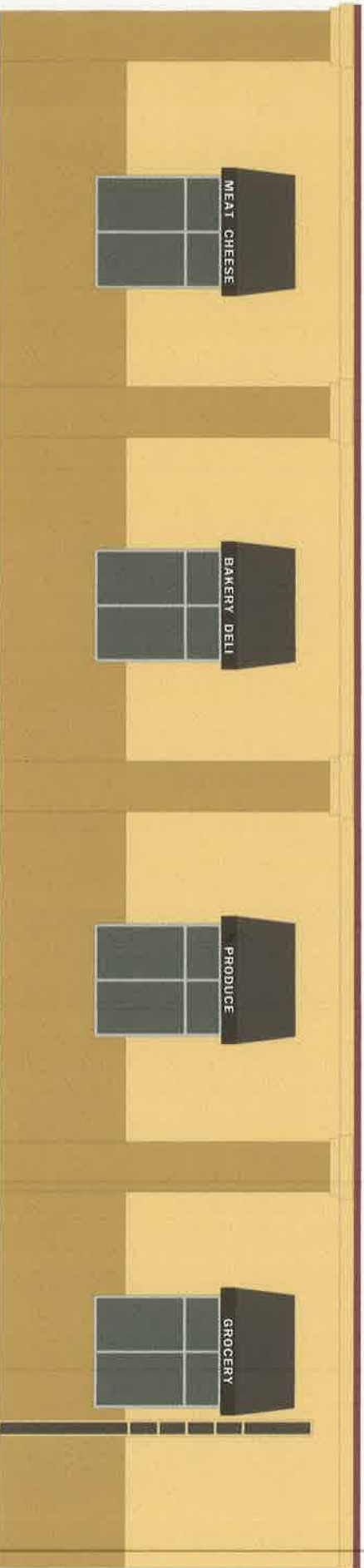
AWNING #3



AWNING #4



Sidewalk Awnings: 67" wide x 43.5" tall x 34.5" deep



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THE COLORS REPRESENTED IN THIS PRINT MAY NOT MATCH THE PMS CHIP, VINYL, OR PAINT EXACTLY.
If not returned within 30 days from date, we reserve the right to charge for creative time involved in development.

COUNCIL ACTION FORM

SUBJECT: ENCROACHMENT PERMIT FOR A SIGN AT 2420 LINCOLN WAY STE 103 (FUZZY'S TACO SHOP)

BACKGROUND:

The tenant of the property at 2420 Lincoln Way Suite 103 is seeking approval for an encroachment permit that would allow a sign to hang into the public way. The proposed sign is a projecting sign mounted to the face of the building. It will extend 35.22 inches over the sidewalk, but will not affect use of the sidewalk.

The sign permit application for the proposed sign has been reviewed by the Inspection Division and complies with all regulations regarding signage. The sign permit application is pending approval contingent on the approval of the encroachment permit.

Chapter 22.3(3) of the Ames Municipal Code requires approval of the Encroachment Permit Application by the Ames City Council before a permit can be issued. By signing the application, the Owner has agreed to hold harmless the City of Ames against any loss or liability as a result of the encroachment, to submit proof of insurance, and to pay a fee for the encroachment. The Owner also understands that this approval may be revoked at any time by the City Council. Upon receipt of proof of insurance, a payment of \$35.22, and Council approval, the Inspection Division will issue a permit for the encroachment.

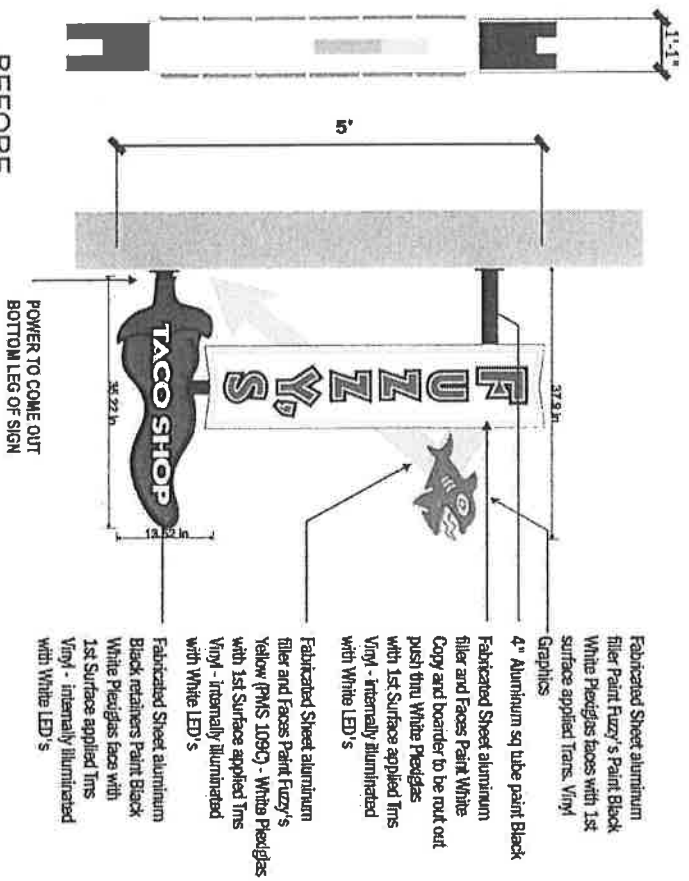
ALTERNATIVES:

1. Approve the application allowing the applicant to erect the sign once the permit has been issued.
2. Modify the application allowing the applicant to erect the sign, with modifications, once the permit has been issued.
3. Deny the application prohibiting the applicant from placing the proposed sign over the public way.

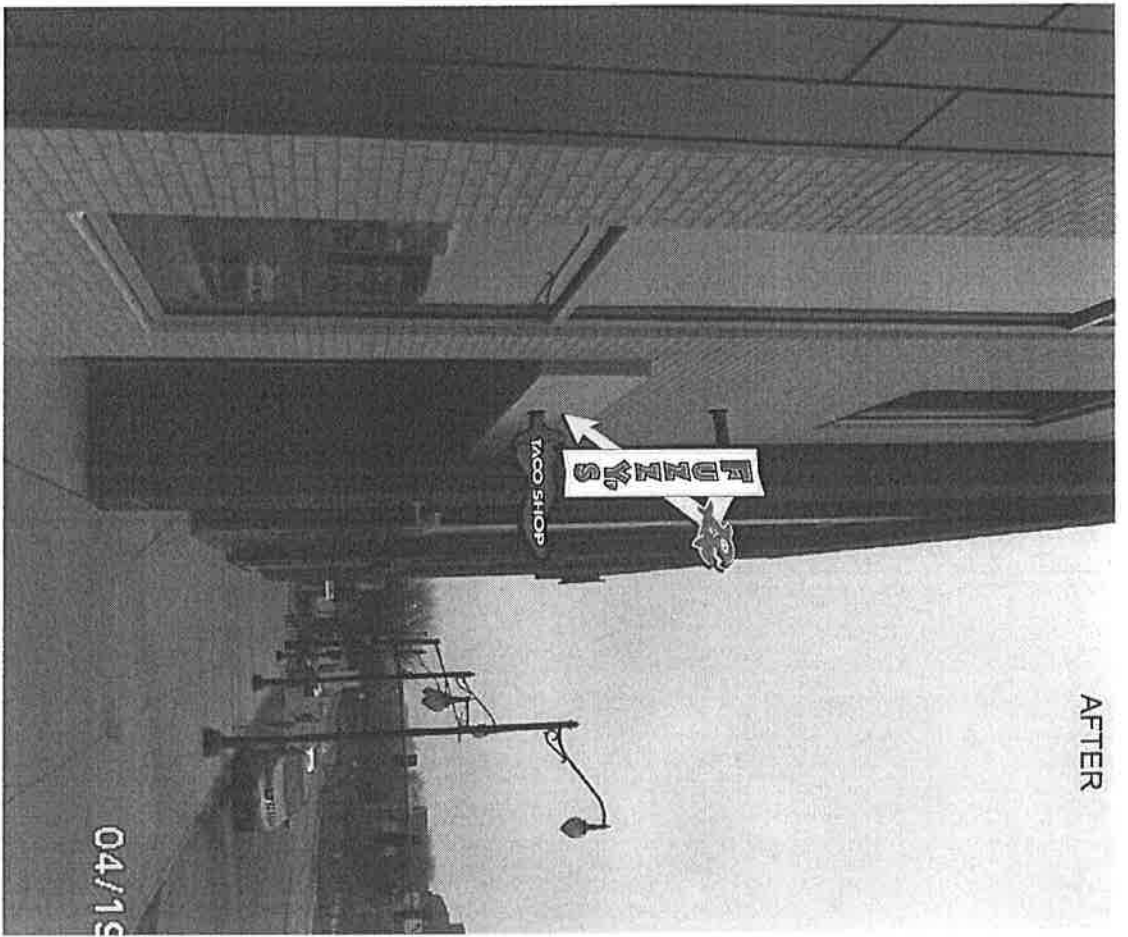
MANAGER'S RECOMMENDED ACTION:

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

D/F Blade Sign



WALL	BLACK	W/O	LED	TACO
TRUSS	2332	COLO	2331	23015
WINDOWN		156	PA1	PA1
		156	157C	157C



PERFORMANCE SIGN

FROM CONCEPT TO COMPLETION WE PERFORM!
 2638 HIGHWAY F48 WEST
 NEWTON, IOWA 50208
 P) 641.792.2321
 F) 641.792.6999

Customer Name: _____
 Company: _____
 Street: _____
 City: _____
 State: _____
 Phone: _____
 Order Taken By: _____

Zip: _____

APPROVALS:

Customer: _____
 Landlord: _____

CONCEPTUAL DRAWINGS ONLY:
 Dimensions are approximate & may change due to construction factors or exact field measurements. Color shown are as close as printing will allow. Always follow written specifications.

ALL RIGHTS RESERVED:
 This design has been created for you in connection with a project being planned by you by Performance Sign Company. It may not be shown in any other manner without prior consent.

COUNCIL ACTION FORM

SUBJECT: Sanitary Sewer Extension Analysis for North Growth Expansion Area

BACKGROUND:

On March 1, 2016 the City Council reviewed a staff report concerning approximately 300 acres of land between the current North Growth and Northwest Allowable Growth Area. The City Council had asked for the assessment of the City's current policies and the Ames Urban Fringe Plan in response to a discussion of future growth from September 2015 and in response to an interest of the Dankbar property to consider annexation and development within the City. At that time staff reviewed the policies for development and changes to the Fringe Plan that were needed to consider annexation of the Gap Area. Staff also provided preliminary findings concerning sanitary sewer capacity limitations to serve this additional area and that no additional growth could be accommodated by the current system that exists to the south of the Gap Area.

At the conclusion of the discussion about development in the Gap Area, City Council directed staff to add to the Planning and Housing Department work plan a project to pursue amendments to the Ames Urban Fringe Plan to allow for future annexation of the Gap Area lands.

City Council also discussed what growth options may exist further to the north of Cameron School Road or even for land north of 190th Street. City Council discussed this idea in the context of what scale of sanitary sewer improvements may be needed to serve the Gap Area, as well as any other potential expansion north. **City Council then directed staff to return with a scope for a sanitary sewer evaluation for growth in the Gap Area and further to the north.**

The Public Works Department has contacted the City's current sanitary sewer engineering consultant, Veenstra and Kimm, and received a preliminary estimate to analyze the sanitary sewer capacity service area (between Cameron School Road and 180th Street) and potential environmental constraints (document review) related to extension of sanitary sewer trunk line in the Squaw Creek basin. This study would cost approximately \$18,000 and would be approximately 4 months from the execution of a contract.

Currently, no funds have been allocated for this type of study. If the Council decides to move ahead with the study in FY 2016/17, this work would have to be funded from the available balance in the Sanitary Sewer Fund.

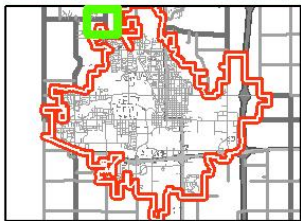
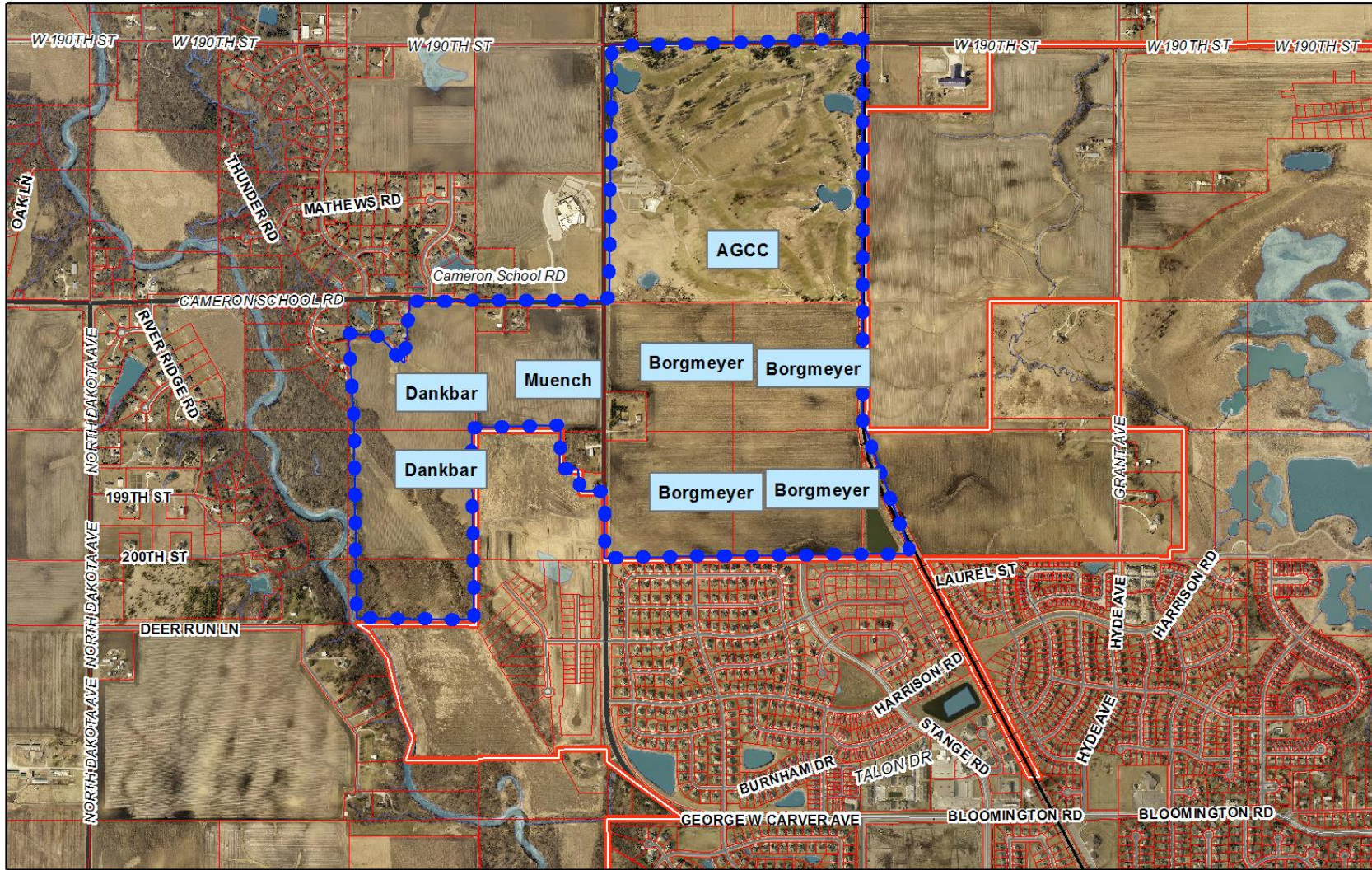
ALTERNATIVES:

1. Motion to direct staff to begin an assessment of a sanitary sewer extension and system capacity to serve growth north of the City and east of Squaw Creek at a cost not to exceed \$18,000.
2. Motion to direct staff to defer evaluation of sanitary sewer capacity for further growth north of the Gap Area until the LUPP update.
3. Motion to direct staff to not initiate further sanitary sewer analysis for growth north of the Gap Area and have the developers of land within the Gap Area provide for sanitary sewer infrastructure needs at their cost.

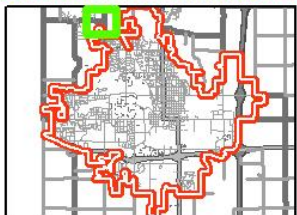
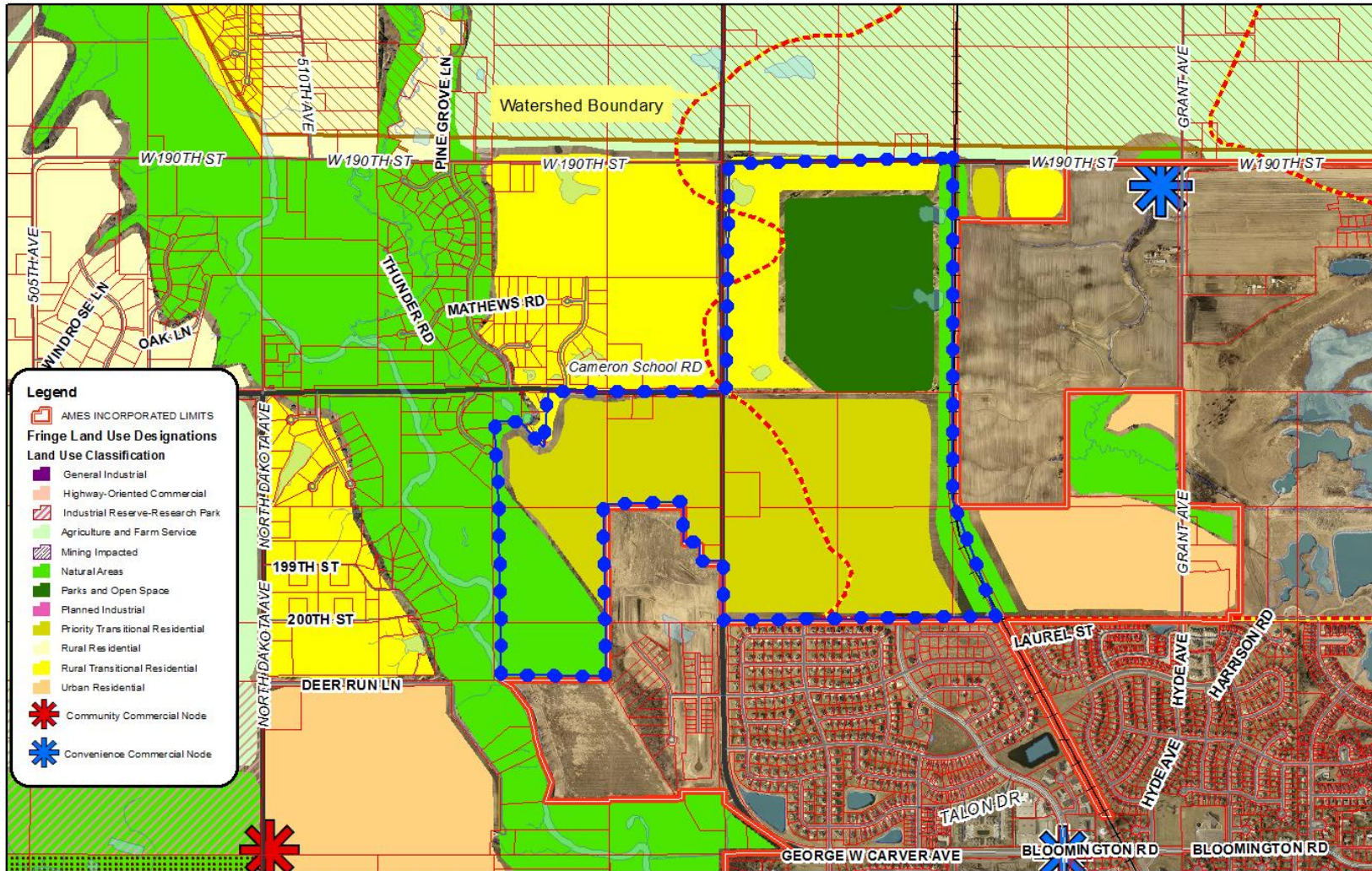
MANAGER'S RECOMMENDED ACTION:

Staff has brought the scope of sewer analysis back for Council review as was previously directed. The scope of work considers a new trunk line extension going north to serve development. The scope of work also would look at downstream impacts to the sewer system from further intensification to the north. Additionally, to understand the feasibility of the trunk line extension, the assessment would also include a general review of environmental constraints to a trunk line extension. **Assuming the City Council still wants to consider land beyond the gap area for potential development in the City, it is the recommendation of the City Manager that the City Council take this first step and approve Alternative #1.** This action will authorize a sanitary sewer assessment for a cost not to exceed \$18,000.

It should be emphasized that once these sewer costs are known, the Council then will have to decide when the City staff should initiate an analysis needed for a LUPP change for the gap area and beyond.



Northern Growth Gap Area



Northern Growth Gap Area

ITEM # 15
DATE: 5-24-16

COUNCIL ACTION FORM

SUBJECT: **REQUESTS FOR HOPE RUN**

BACKGROUND:

Mary Greeley Medical Center (MGMC) is sponsoring the 16th Annual Hope Run for Hospice on Saturday, June 18, 2016, beginning at 8:00 a.m. The event includes a 5k timed race and 3k fun run/walk, in addition to a Hope Run Jr. event.

Organizers intend to utilize the route used by Run for the Roses. This route has been successful in minimizing disruption to neighborhoods. In order to facilitate the movement of the participants, temporary street closures are needed from 7:30 a.m. to approximately 9:00 a.m. on June 18, 2016, as follows:

- Dotson Drive between Harris/Coy Avenue and Mortensen Road
- Mortensen Road between Dotson Drive and Hayward Avenue
- Hayward Avenue between Mortensen Road and Knapp Street
- Knapp Street between Hayward Avenue and Sheldon Avenue
- Sheldon Avenue between Knapp Street and Arbor Street
- Arbor Street between Sheldon Avenue and State Avenue
- State Avenue from north of Arbor Street to Mortensen Road

These streets will reopen as runners pass through each area. The route is configured to close Mortensen Road (the largest road affected by closures) for the shortest time period possible.

Public Works Traffic Division will provide barricades and traffic cones to facilitate the road closures, and volunteers recruited by Mary Greeley will staff them. Public Works staff will place electronic message board signs along the major routes in the weeks prior to the race, and on race day. Additionally, event organizers will place signs containing route information and the race date and time along the route.

A waiver of the Road Race fee of \$25 has also been requested by the event organizers. Mary Greeley Medical Center operates as a non-profit entity.

ALTERNATIVES:

1. Approve the various road closures and waiver of Road Race fee, as requested by Mary Greeley Medical Center.
2. Deny the requests from Mary Greeley Medical Center and direct staff to work with organizers to find an alternate location for the event.

MANAGER'S RECOMMENDED ACTION:

Mary Greeley Medical Center's Hope Run for Hospice is a well-organized fundraising event for the Ames community. The race route will substantially reduce the number of residents affected by the race. City Council approval is necessary for this event to occur as planned.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the various road closures and waiver of Road Race fee, as requested by Mary Greeley Medical Center.



Mary Greeley
FOUNDATION

May 17, 2016

Honorable Mayor Campbell and City Council
Ames City Hall
515 Clark Avenue
Ames, IA 50010

RE: 201 Hope Run for Hospice

Dear Honorable Mayor Campbell and City Council,

Mary Greeley Medical Center's Hope Run for Hospice will be held on Saturday, June 18, 2016 at the Ames Middle School. This is our 16th annual event that raises money to support Mary Greeley Medical Center Hospice and the Israel Family Hospice House.

Information about the event can be found on the Special Event Application we submitted. We were very pleased with the new route we used last year and look forward to continuing with this route moving forward.

At this time we respectfully request a waiver of the \$25 road race permit fee.

Thank you for your consideration and continued support of Mary Greeley Medical Center. We hope to see you at our event on June 18, either as a participant or a volunteer.

Sincerely,

Andrea Hammes Dodge
Senior Development Coordinator



SUMMARY OF EVENT

DESCRIPTION

Event Name Hope Run for Hospice

Description 16th Annual Hope Run for Hospice benefiting Mary Greeley Hospice

Saturday, June 18, 2016 - Ames Middle School

6:45-7:45am Race Day Registration & Packet Pick-Up

8:00am 5K Race (chip timed) and 8:05am 3K Fun Run/Walk

- All finish lines are on the track behind the school
- Post-race refreshments and all other activities will be the track

9:00am Hope Run Jr.

9:15am Awards & Prizes

- Medals to top 3 finishers in 14 age groups
- Participation ribbons to all youth ages 12 & under

Mary Greeley Medical Center Hospice provides care and support for terminally ill patients and their families with a focus on maintaining dignity and quality of life. Our skilled and compassionate staff provides care at home, as well as education for caregivers. We also assist patients and family with seeking alternatives to living at home, such as our Israel Family Hospice House.

Event Category

<input checked="" type="checkbox"/> Athletic/Recreation	<input type="checkbox"/> Concert/Performance
<input type="checkbox"/> Exhibits/Misc.	<input type="checkbox"/> Farmer/Outdoor Market
<input type="checkbox"/> Festival/Celebration	<input checked="" type="checkbox"/> Other (please explain)
<input type="checkbox"/> Parade/Procession/March	Ames Middle School

Anticipated Attendance

Total 900 Per Day _____

DATE/TIME

Setup	Date <u>6/17/16</u>	Time <u>12:00 pm</u>	Day of Week <u>Friday</u>
Event Starts	Date <u>6/18/16</u>	Time <u>6:30 am</u>	Day of Week <u>Saturday</u>
Event Ends	Date <u>6/18/16</u>	Time <u>10:00 am</u>	Day of Week <u>Saturday</u>
Teardown Complete	Date <u>6/18/16</u>	Time <u>11:00 am</u>	Day of Week <u>Saturday</u>

Rain Date, if applicable _____

Rain Location, if applicable _____

LOCATION

Region

(Select one or more)

- Main Street Cultural District (Downtown)
- Campustown District
- Iowa State University Property
- City Parks
- Other (please explain) Ames Middle School

Please note that events occurring in the Downtown, Campustown, in City parks, or on ISU property require prior approvals. A letter of support will be required from CAA if the event occurs in Campustown or from MSCD if the event occurs in Downtown. Please contact the appropriate office well in advance:

Downtown - Main Street Cultural District: (515) 233-3472

Campustown - Campustown Action Association: (515) 450-8771

Iowa State University - Events Authorization Committee: (515) 294-1437

events@amesdowntown.org

director@amescampustown.com

eventauthorization@iastate.edu

CONTACTS

Host Organization

Mary Greeley Medical Center

Local Contact (Required)

Must be present during event

Name: Andrea Hammes Dodge

Address: 1111 Duff Ave, Ames, IA 50010

Telephone: (515) 239-2158

Cell phone: (515) 450-4140

Must be available by cell phone during event

Email: hammesdodge@mgmc.com

At least ten business days prior to the event, Organizer must submit Emergency Contact List, including names and numbers of all coordinators, volunteers, and location assigned to each.

Yes No

Is this an annual event? How many years have you been holding this event? 16

Is this event open to the public?

Is your event being held in conjunction with another event (e.g. *Farmers' Market, 4th of July*, etc.)?

If yes, please list

COUNCIL ACTION FORM

SUBJECT: REQUESTS FOR MIDNIGHT MADNESS

BACKGROUND:

The annual Midnight Madness races will be held in the downtown area on Saturday, July 9th. The event includes 5k, 10k, and kid runs, followed by a beer garden and activities near City Hall. City staff is anticipating that the Sixth Street Bridge project will not be complete to a standard that is acceptable for a running surface. Therefore, organizers have proposed an alternative route to the traditional Midnight Madness course. Organizers are requesting the following street and parking lot closures on Saturday, July 9 and Sunday, July 10, 2016 (parking closures are on streets indicated by an asterisk):

1. On July 9 from 6:00 p.m. to 11:00 p.m. for the Midnight Madness races:
 - Fifth Street, from Pearle Avenue to Douglas Avenue
 - Douglas Avenue, from Fifth Street to Sixth Street
 - Sixth Street, from Douglas Avenue to Clark Avenue
 - Clark Avenue, from Sixth Street to Main Street
 - Main Street, from Burnett Avenue to Northwestern Avenue
 - Northwestern Avenue, from Main Street to Ninth Street
 - Ninth Street, from Northwestern to Brookridge Avenue
 - Ridgewood Avenue, from Brookridge Avenue to Sixth Street,
 - Sixth Street, from Northwestern Avenue to the entrance of Brookside Park

The following streets will be within the closed area, but are not part of the race route:

- Burnett Avenue, from Fifth Street to Sixth Street
- Kellogg Avenue, from Fifth Street to Sixth Street
- Park Way
- Lee Street
- Pearle Avenue

2. From 6:00 p.m. on July 9 to 1:00 a.m. on July 10 for post-race activities:
 - Clark Avenue from Sixth Street to Fifth Street
 - East City Hall Parking Lot (Lot N)

Parking spaces will need to be closed from 6:00 p.m. until 11:00 p.m. on July 9. Because the activities occur after 6:00 p.m., no loss of Parking Fund revenue will occur.

Midnight Madness is also requesting:

- A 5-day Class B Beer Permit and an Outdoor Service Area for Parking Lot N. Alcohol will be served in a fenced-in area from 8:00 p.m. to midnight, starting on July 9
- Permission to tap up to 7 kegs at one time with a maximum of 20 kegs used for the event
- A waiver of fees for electricity used in Lot N and in the Main Street Cultural District and waiver of cost for an electrical distribution box rental (approximately \$35 loss to the Electric Fund)
- A blanket Vending License
- Waiver of the fee for the Vending License (\$50 loss to the City Clerk's Office)

Public Works Traffic Division will provide barricades and traffic cones to facilitate this event. **This proposed route involves the crossing of the Union Pacific Railroad north-south single-track rail line at Ninth Street. Midnight Madness organizers have contacted UPRR and have obtained permission to have the race route cross this intersection. Organizers will confer with UPRR in the days prior to race day to ensure the race schedule will not conflict with train traffic, and adjustments will be made to avoid train traffic if necessary.**

Midnight Madness organizers have also obtained a Noise Permit for this event. Event organizers will clean up the event on Sunday morning, with cleanup being completed by 1:00 p.m.

ALTERNATIVES:

1. Approve the requests for Midnight Madness on July 9-10, 2016, as outlined above.
2. Approve the requests as indicated above, but require reimbursement for the cost of electricity and the vending license.
3. Deny the requests for Midnight Madness and direct staff to work with organizers to find an alternate location for the event.

MANAGER'S RECOMMENDED ACTION:

Midnight Madness has been held since 1979 and is a popular event that draws many competitors and spectators from a wide area to the Main Street Cultural District. There have been no significant problems in the past with the arrangements requested above.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby approving the Midnight Madness requests as outlined above on July 9-10, 2016.

Applicant License Application ()

Name of Applicant: <u>Roman Lynch</u>		
Name of Business (DBA): <u>Midnight Madness Road Races</u>		
Address of Premises: <u>3720 Jewel Dr</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>
Business	<u>(515) 232-6131</u>	
Mailing	<u>3720 Jewel Dr</u>	
City <u>Ames</u>	State <u>IA</u>	Zip: <u>50010</u>

Contact Person

Name <u>Roman Lynch</u>	
Phone: <u>(515) 231-9995</u>	Email <u>romanlynch@mchsi.com</u>

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

Term: 5 days

Effective Date: 07/09/2016

Expiration Date: 01/01/1900

Privileges:

Class B Beer (BB) (Includes Wine Coolers)

Status of Business

BusinessType: <u>Privately Held Corporation</u>	
Corporate ID Number: <u>218543</u>	Federal Employer ID <u>42-1476108</u>

Ownership

Roman Lynch

First Name: Roman

Last Name: Lynch

City: Ames

State: Iowa

Zip: 50010

Position: 515-231-9995

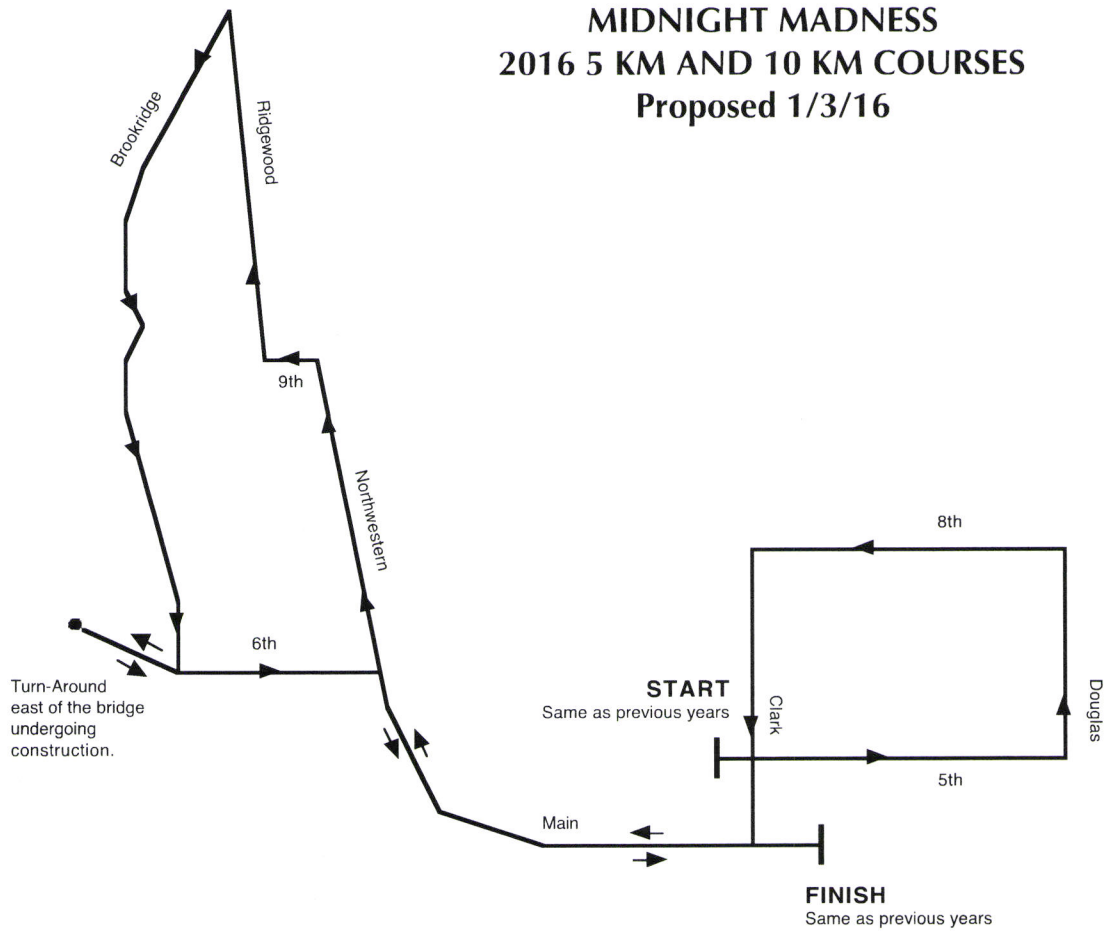
% of Ownership: 100.00%

U.S. Citizen: Yes

Insurance Company Information

Insurance Company:	
Policy Effective Date:	Policy Expiration
Bond Effective	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective	Temp Transfer Expiration Date:

**MIDNIGHT MADNESS
2016 5 KM AND 10 KM COURSES
Proposed 1/3/16**





CITY OF
Ames

SPECIAL EVENT APPLICATION

SUMMARY OF EVENT

DESCRIPTION

Event Name *Midnight Madness Road Races*

Description
5K, 10K Footrace on the streets run separately. (MAP Attached)
Registration in city hall gym begins at 2:00 pm.
Kids Run is at 7 pm. followed by 5K @ 7:30 and 10K at 8:30.
There is a Feed with a Band with a beer tent.

Event Category

- Athletic/Recreation
- Exhibits/Misc.
- Festival/Celebration
- Parade/Procession/March
- Concert/Performance
- Farmer/Outdoor Market
- Other (please explain)

Anticipated Attendance

Total 1800 Per Day 1

DATE/TIME

Setup	Date <u>July 8, '16</u>	Time <u>6:00 Pm</u>	Day of Week <u>Friday</u>
Event Starts	Date <u>July 9, '16</u>	Time <u>7:30 Pm</u>	Day of Week <u>Saturday</u> *
Event Ends	Date <u>July 9, 2016</u>	Time <u>Midnight</u>	Day of Week <u>Saturday</u>
Teardown Complete	Date <u>July 10, 2016</u>	Time <u>2:00 Pm or so</u>	Day of Week <u>Sunday</u>

Rain Date, if applicable _____
Rain Location, if applicable _____

* Registration starts in City Hall @ 2pm.
* Races start @ 7:30

LOCATION

Region

(Select one or more)

- Main Street Cultural District (Downtown)
- Campustown District
- Iowa State University Property
- City Parks
- Other (please explain)

Please note that events occurring in the Downtown, Campustown, in City parks, or on ISU property require prior approvals. A letter of support will be required from CAA if the event occurs in Campustown or from MSCD if the event occurs in Downtown. Please contact the appropriate office well in advance:

Downtown - Main Street Cultural District: (515) 233-3472 events@amesdowntown.org
 Campustown - Campustown Action Association: (515) 450-8771 director@amescampustown.com
 Iowa State University - Events Authorization Committee: (515) 294-1437 eventauthorization@iastate.edu

CONTACTS

Host Organization

Midnight Madness Road Races

Local Contact (Required)
Must be present during event

Name: Roman LYNCH

Address: 3720 Jewel dr., Ames, IA. 50010

Telephone: (515) 233-6057

Cell phone: (515) 231-~~1111~~9995
Must be available by cell phone during event

Email: RomanLynch@mchsi.com

At least ten business days prior to the event, Organizer must submit Emergency Contact List, including names and numbers of all coordinators, volunteers, and location assigned to each.

Yes No

Is this an annual event? How many years have you been holding this event? 45

Is this event open to the public?

Is your event being held in conjunction with another event (e.g. Farmers' Market, 4th of July, etc.)?

If yes, please list Iowa Games

March 25, 2016

Mayor Ann Campbell and City Council Members
c/o City Clerk
515 Clark
Ames, IA 50010

Dear Mayor Campbell and Council Members:

MIDNIGHT MADNESS has been around for 45 years. We feel that the race provides a vehicle for all levels of fitness. The race also creates a significant economic impact on Ames. This year's race is **July 9, 2016**.

In view of our long tradition as a contributor to the quality of life in Ames, we request two things from the Ames City Council:

- Allow us to use up to 20 kegs of beer at our Post-Race Party
- Allow us to tap up to 7 kegs at one time
- Use of electrical outlets and distribution box AND waiver of the fees for both.
- Blanket Vending license for Lot N and a waiver of the fee for the license.
- Allow the water department to provide a water station on the course and use their water unit.

The approximate number of people that enter all the races is 1,800. There are approximately 1,000 spectators. There are about 2,800 that will attend the Post-race Party, of which 1,500 will drink beer and 1,300 will drink soda or orange drink. Large quantities of food will be available (spaghetti, fruit, yogurt, etc.)

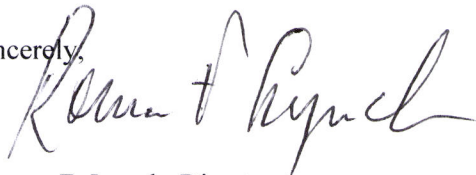
The average age of all runners is 35 years. Runners are generally a pretty docile group. As you know, we do a super job of cleaning up the area afterwards. **We request that we can have until 1:00 pm Sunday afternoon to have Main Street clean, 'no parking' signs removed and trash in a container and the Party area cleared.**

We have taken some precautions to see that no minors are served and that no one person consumes too much beer. The precautions that we will take at the MIDNIGHT MADNESS Post-Race Party are:

- All kegs will be stored and served out of a beer truck.
- A double fence will surround the beer truck and act as a barrier.
- There will be one entry and exit to the beer area.
- There will be 15 people to serve beer and check ages.
- Through a tag system, we can visibly tell ages easily.
- All guests wishing beer will be checked for age and tagged.
- We will provide an adequate supply of toilets at the site.
- We will have alternate drinks—soda and orange drink.
- We will do all we can to maintain control of the party and comply with City and State laws.
-

Thank you for your consideration.

Sincerely,



Roman F. Lynch, Director

Midnight Madness
515-231-9995

COUNCIL ACTION FORM

SUBJECT: MAIN STREET CULTURAL DISTRICT REQUESTS FOR “FIREFLY COUNTRY NIGHT” ON MAIN STREET

BACKGROUND:

The Main Street Cultural District (MSCD) plans to hold its third annual Firefly Country Night on Main Street from 3:00 p.m. to 9:00 p.m. on Sunday, July 17th, 2016. The event will feature country musicians performing on a stage placed in the 200 block of Main Street. MSCD uses proceeds from this event as a fundraiser for the continued revitalization of Downtown.

To facilitate this event, MSCD has made the following requests:

- Closure of Main Street between Kellogg Avenue and Douglas Avenue, and closure of Douglas Avenue between Main Street and the alley from 6:00 p.m. on Saturday, July 16th to 11:59 p.m. on Sunday, July 17th.
- Closure of 50 parking spaces within the closed area. Because the closure will not take place during metered hours, no loss to the Parking Fund is expected.
- Temporary Obstruction Permit and blanket Vending License (\$50 license fee)
- Use of City-owned electrical outlets on light poles along Main Street (approximately \$5 cost to the Electric Fund)
- Approval of a Special Class C Liquor License with Outdoor Service Privilege

MSCD has a waiver of fees for the Vending License and electricity. It will apply for a Noise Permit from the Police Department. Although MSCD will use City light pole outlets for vendor electricity, the stage lighting and sound system will be powered by generators.

Organizers anticipate similar attendance to last year’s event (approximately 2,000 people). Due to the safe execution of previous iterations of this event, the Police Department does not feel that approval must be contingent on the hiring of police officers. MSCD plans to use a reputable security firm for event security. Additionally, MSCD will ensure that an adequate number of volunteers will be on hand to assist with crowd control and the rapid removal of barricades in the event that emergency vehicles need access to the area.

MSCD’s application indicates that it will communicate event details to affected businesses by going door-to-door, placing signs in the event area prior to the event, and distributing details via email to businesses in the district.

ALTERNATIVES:

1. Approve the street and parking closures, Temporary Obstruction Permit, Vending License, Special Class C Liquor License with Outdoor Service Privilege, use of City-owned electrical outlets, and do not require reimbursement for the Vending License and use of electricity.
2. Approve the street and parking closures, Temporary Obstruction Permit, Vending License, Special Class C Liquor License with Outdoor Service Privilege, use of City-owned electrical outlets, but require reimbursement for the Vending License and use of electricity.
3. Do not approve the use of City streets for this event.

MANAGER’S RECOMMENDED ACTION:

Main Street Cultural District has a proven track record of handling large-scale events of this nature, and worked diligently last year to host a safe and enjoyable Firefly Country Night event. This year’s event has been moved to Sunday night, which is traditionally when the fewest businesses are open on Main Street to be impacted by the event.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the street and parking closures, Temporary Obstruction Permit, Vending License, Special Class C Liquor License with Outdoor Service Privilege, use of City-owned electrical outlets, and do not require reimbursement for the Vending License and use of electricity.



May 9, 2016

Honorable Mayor Campbell and City Council
Ames City Hall
515 Clark Avenue
Ames, IA 50010

RE: Firefly Country Night

Dear Honorable Mayor Campbell and City Council,

The Main Street Cultural District is planning to hold the annual Firefly Country Night from 2-9pm on Sunday, July 17. Information about the event can be found on the Special Event Application we submitted. We would also request a waiver of fees for the Blanket Vendor License and electricity.

Thank you for your consideration of this request and continued support of the Main Street Cultural District. We look forward to seeing you on July 17, in downtown Ames.

Sincerely,

Cindy Hicks
Executive Director
Main Street Cultural District

Applicant License Application ()

Name of Applicant: <u>Ames Chamber of Commerce</u>		
Name of Business (DBA): <u>Main Street Cultural District</u>		
Address of Premises: <u>200 Block of Main Street</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>
Business <u>(515) 233-3472</u>		
Mailing <u>304 Main Street</u>		
City <u>Ames</u>	State <u>IA</u>	Zip: <u>50010</u>

Contact Person

Name <u>Cindy Hlcks</u>
Phone: <u>(515) 233-3472</u> Email <u>director@amesdowntown.org</u>

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

Term: 5 days

Effective Date: 07/17/2016

Expiration Date: 01/01/1900

Privileges:

Outdoor Service

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

Status of Business

BusinessType: <u>Municipality</u>
Corporate ID Number: <u>-</u> Federal Employer ID <u>42-0623975</u>

Ownership

Cindy Hicks

First Name: Cindy

Last Name: Hicks

City: Ames

State: Iowa

Zip: 50010

Position: Executive Director

% of Ownership: 0.00%

U.S. Citizen: Yes

Insurance Company Information

Insurance Company:	
Policy Effective Date:	Policy Expiration
Bond Effective	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective	Temp Transfer Expiration Date:



SUMMARY OF EVENT

DESCRIPTION

Event Name Firefly Country Nights

Description

Firefly Country Nights a music festival featuring five country bands, in a street dance style format, in the 200 block of Main Street. This year the concert will be held from 3pm- 9pm on Sunday, July 17. Gates open at 2 pm. Brothers Osborne will be the headline act this year with special guests Adley Stump (team Blake on the Voice) and Nashville recording artist Forgotten Highway. There will also be two local bands to open the concert. There will be six food vendors and beer sales. We will need to close the 200 block of Main Street at 6pm on Saturday to begin set up. We will also close Douglas in the middle of the 400 block (at the alley) to accommodate for any tour bus and vehicle parking.

- Event Category**
- Athletic/Recreation
 - Concert/Performance
 - Exhibits/Misc.
 - Farmer/Outdoor Market
 - Festival/Celebration
 - Other (please explain)
 - Parade/Procession/March

Anticipated Attendance Total 3,000 Per Day _____

DATE/TIME

Setup	Date <u>7/16/16</u>	Time <u>6:00 pm</u>	Day of Week <u>Saturday</u>
Event Starts	Date <u>7/17/16</u>	Time <u>2:00 pm</u>	Day of Week <u>Sunday</u>
Event Ends	Date <u>7/17/16</u>	Time <u>9:00 pm</u>	Day of Week <u>Sunday</u>
Teardown Complete	Date <u>7/17/16</u>	Time <u>11:59 pm</u>	Day of Week <u>Sunday</u>

Rain Date, if applicable _____

Rain Location, if applicable _____

LOCATION

Region

(Select one or more)

- Main Street Cultural District (Downtown)
- Campustown District
- Iowa State University Property
- City Parks
- Other (please explain)

Please note that events occurring in the Downtown, Campustown, in City parks, or on ISU property require prior approvals. A letter of support will be required from CAA if the event occurs in Campustown or from MSCD if the event occurs in Downtown. Please contact the appropriate office well in advance:

-
Downtown - Main Street Cultural District: (515) 233-3472 events@amesdowntown.org
Campustown - Campustown Action Association: (515) 450-8771 director@amescampustown.com
Iowa State University - Events Authorization Committee: (515) 294-1437 eventauthorization@iastate.edu

CONTACTS

Host Organization

Main Street Cultural District

Local Contact (Required)

Must be present during event

Name: Cindy Hicks

Address: 304 Main Street

Telephone: (515) 233-3472

Cell phone: (316) 871-0837
Must be available by cell phone during event

Email: director@amesdowntown.org

At least ten business days prior to the event, Organizer must submit Emergency Contact List, including names and numbers of all coordinators, volunteers, and location assigned to each.

Yes No

Is this an annual event? How many years have you been holding this event? 3

Is this event open to the public?

Is your event being held in conjunction with another event (e.g. *Farmers' Market, 4th of July, etc.*)?

If yes, please list

COUNCIL ACTION FORM

SUBJECT: **FY 2016/17 SIGN PERMIT FEE ADJUSTMENT**

BACKGROUND:

The Inspection Division is currently working on the design process for the new permitting software. While reviewing the entire Inspection fee permitting process, an attempt was made by staff to try to streamline the customer's experience as much as possible and make the fees easier to understand for the customer. Staff has recognized that there are currently two different permit fees assessed for sign permits, as follows:

Non-illuminated	\$63.85
Illuminated	\$90.65

It is unknown why sign fees were initially differentiated between illuminated and non-illuminated. Staff time necessary to issue a sign permit is the same, regardless of the illumination.

Staff also reviewed the average time necessary to issue a typical sign permit. Based on the current and anticipated average time required of the Community Codes Liaison, Administrative Support Services, and the Finance Division (which may include educating the customer, answering sign questions at Development Review Committee meetings, entering the information into the data management system, and mailing the forms to the customer), **the average cost to issue a sign permit equates to \$106.18 per permit.**

Sign permit fees were last increased in FY 2012/13, where all building fees were raised approximately 3% to cover the increasing costs of the Division. Based on an average of the last two years of sign permits issued and fees collected, if the Division were to continue to maintain a two-tier fee approach, it would mean an average shortfall of approximately \$5,262.

If the costs of both non-illuminated and illuminated were established at \$90.65, it would equate to an increase of approximately 42% for the non-illuminated sign fees. However, this would reduce the shortfall to an average of just under \$3,000 to the sign program budget. Thus, staff recommends that the fee for signs (both illuminated and non-illuminated) be one fee.

Illuminated and non-illuminated	\$90.65
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ALTERNATIVES:

1. Make no changes and keep the two sign permit fees at the current levels.
2. Establish one fee for both illuminated and non-illuminated sign fees at the higher of the two rates: \$90.65.
3. Establish one fee for both illuminated and non-illuminated sign fees at the lower of the two rates: \$63.85.
4. Establish one fee for both illuminated and non-illuminated sign fees at the rate necessary for the program to remain cost neutral: \$106.18.

MANAGER'S RECOMMENDED ACTION:

Because the two fees can be confusing for the customer and tends to be more cumbersome in completing the on-line submittal process that will soon be implemented, establishing one fee could help simplify the process for the customer. Though this will be an increase for non-illuminated sign permits, the general fund will still be subsidizing a portion of the sign program. However, this change in fees will allow for a modest increase in the future, should Council decide it wanted the sign program to become more cost neutral.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 2, thereby approving the establishment of one fee for both illuminated and non-illuminated sign fees at the new rate of \$90.65.



To: Mayor and City Council

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From: Diane Voss, City Clerk

Date: May 19, 2016

Subject: Resolution No. 16-238 Adopted May 10, 2016 Setting Date of Public Hearing

On May 10, 2016, Resolution No. 16-238 was adopted, which set the date of public hearing on vacating an alley between North Dakota Avenue and Delaware Avenue between Toronto Street and Reliable Street.

While working on this issue, Eric Cowles learned that some portions of the alley had actually been purchased by adjacent property owners years ago. However, a check of City Ordinances with the limited information that was available did not reveal that the alley had ever been vacated. The Story County Recorder's Office did not locate any recording of an alley being vacated at that location. Nothing showed up on the County's GIS to indicate that the alley had ever been vacated. The process to vacate the alley was then put on the City Council Agenda for May 10.

Believing that it would have been impossible for anyone to purchase a portion of the alley prior to it being vacated, Eric continued to research the property through old plat maps. It was found that on November 8, 1978, the vacation of an alley in Block 8 of the Original Town of Ontario was approved by the City Council. That alley is believed to be the one that is the subject of Resolution No. 16-238.

Since the alley has already been vacated, Resolution No. 16-238 needs to be rescinded.

/drv

COUNCIL ACTION FORM

SUBJECT: APPROVAL OF FY 2016/17 ASSET CONTRACTS

BACKGROUND:

During its February 2016 budget approval process, the City Council approved a total of \$1,277,973 in ASSET allocations for the 2015/16 fiscal year. Contracts have been mailed to the City-funded ASSET agencies and returned to the City. These are now presented for City Council approval.

	<u>Current</u>	<u>Allocation</u>	<u>Increase</u>
	<u>FY 2015/16</u>	<u>FY 2016/17</u>	
ACCESS	\$ 89,164	\$ 91,039	\$ 1,875
ACPC	84,160	87,471	3,311
American Red Cross	9,000	9,000	0
ARC	6,210	6,700	490
Boys & Girls Club	98,700	102,800	4,100
Camp Fire USA	6,640	6,953	313
Center for Creative Justice	54,007	55,250	1,243
ChildServe	19,790	20,700	910
Emergency Residence Project	73,000	76,500	3,500
Eyerly Ball	18,022	10,000	-8,022
Good Neighbor	16,605	16,830	225
Heartland Senior Services	153,749	158,642	4,893
HIRTA	42,000	40,133	-1,867
Legal Aid Society	85,000	94,040	9,040
Lutheran Services in Iowa	4,500	5,461	961
Mary Greeley Home Health Svcs.	40,025	42,500	2,475
MICA	54,059	64,214	10,155
NAMI	5,500	6,000	500
Raising Readers	14,000	16,207	2,207
RSVP	28,500	29,099	599
The Salvation Army	34,000	43,604	9,604
University Community Childcare	52,751	57,226	4,475
Visiting Nurse Services	5,386	5,386	0
Volunteer Center of Story County	7,475	8,500	1,025
Youth and Shelter Services	<u>210,132</u>	<u>223,718</u>	<u>13,586</u>
	\$ 1,212,375	\$ 1,277,973	\$ 65,598

Visiting Nurse Services (VNS) was allocated \$5,386 for FY 2016/17. VNS has not returned a contract, and as of the time this report was prepared, City staff has had some

informal indication that VNS may be declining its contract for FY 2016/17. Staff will provide a memo to the City Council with further details as to the status of VNS as they become available.

ALTERNATIVES:

1. Approve the ASSET agency contracts for FY 2016/17 (excluding VNS)
2. Do not approve the ASSET agency contracts

MANAGER'S RECOMMENDED ACTION:

The City Council has allocated funds for human services activities through the ASSET hearing process and the approval of the City's FY 2016/17 budget. The ASSET-funded organizations have signed and returned their contracts for services.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby approving the ASSET agency contracts for FY 2016/17 (excluding VNS).

COUNCIL ACTION FORM

SUBJECT: APPROVAL OF 2016/17 COMMISSION ON THE ARTS CONTRACTS

BACKGROUND:

In November 2015, the City Council authorized up to \$156,170 for the FY 2016/17 Commission on the Arts' (COTA) grants. COTA recommended a total of \$152,040 in annual grant funding, and the City Council allocated funding for these annual grants as part of the FY 2016/17 City Budget. The \$4,130 difference between what the City Council authorized and what was recommended for the annual grant budget is held by COTA for distribution in its Fall and Spring Special Project grants process, which provides awards of up to \$750 for qualifying projects.

Contracts for Annual Grant funding have been mailed to arts organizations and returned with signatures, and are now presented for City Council approval.

COTA 2016-17 Annual Grant Recommendations

Organization	Allocation
ACTORS	\$ 17,340
AIOFA	8,370
Ames Chamber Artists	2,830
Ames Children's Choirs	10,920
Ames Choral Society	3,040
Ames Community Arts Council	9,000
Ames Town & Gown	15,340
Central Iowa Symphony	8,570
Co'Motion Dance	5,620
Dancercenter Dancer Company Foundation	1,710
Friends of Ames Strings	1,750
Good Company	1,490
India Cultural Association	6,580
Kids Co'Motion	2,960
Octagon Center for the Arts	47,020
Story Theater Company	9,500
TOTAL	\$ 152,040
Council Authorized for FY 2016/17	\$ 156,170
Reserve for Special Project Grants	\$ 4,130

ALTERNATIVES:

1. Approve the COTA Annual Grant contracts as recommended by the Commission on the Arts.
2. Request further information from COTA prior to approving these contracts.

MANAGER'S RECOMMENDED ACTION:

The City Council has allocated funding in the City Budget to fund arts activities, and the Commission on the Arts has received applications and made awards that meet the criteria for COTA funding. Contracts are required to define the scope of services that will be met by each organization receiving funding.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the COTA Annual Grant contracts as recommended by the Commission on the Arts.

COUNCIL ACTION FORM

SUBJECT: APPROVAL OF FY 2016/17 OUTSIDE FUNDING REQUEST CONTRACTS

BACKGROUND:

During the February budget hearings for the FY 2016/17 Budget, the City Council reviewed requests from local organizations. The City Council allocated Local Option Sales Tax funds for these organizations to provide facilities and services to the public. In total, \$144,400 was allocated for activities occurring in FY 2016/17.

Contracts with each organization have been signed by organization representatives, returned to City staff, and are now before the City Council for approval. Scopes of services and funding amounts for each organization are listed below:

Ames Economic Development Commission		\$7,500
Funding will be used to purchase one year of access to the Buxton SCOUT program. Reports from this program will be made available to representatives of prospective businesses, existing businesses, and others requesting retail analysis of the Ames area. The Provider shall send a report to the City in January 2017 and in July 2017 summarizing the use of the program, including the number of times reports have been produced for potential customers.		
Drawdown Schedule:		
<u>Task</u>	<u>Date</u>	<u>Amount</u>
Renew Buxton Subscription	July 2017	\$7,500

Ames Historical Society		\$37,000
Funds awarded shall be used to:		
<ol style="list-style-type: none"> 1. Present 40 presentations and open houses, to be hosted at the Ames History Center, in locations throughout the community, and at Hoggatt School 2. Take the history trailer to 15 classes of Ames 3rd graders and at least 5 community events 3. Respond to no fewer than 300 research requests 4. Host at least 1300 public open hours at the Ames History Center, with at least 1,500 visitors 5. Catalog at least 500 historical Ames collections objects 6. Present 8 new exhibits at the Ames History Center 7. Collaborate with no fewer than two partnering community organizations to conduct special projects, host events, and/or present programs. 		
Drawdown Schedule:		
<u>Task</u>	<u>Date</u>	<u>Amount</u>
Present 10 presentations/open houses; take	September 2016	\$9,250

the history trailer to 4 3 rd grade classes and 1 community event; answer 75 research requests; host 325 public open hours at the Ames History Center; catalog 125 historical Ames objects; present 2 new exhibits at the Ames History Center	December 2016	\$9,250
Present 10 presentations/open houses; take the history trailer to 4 3 rd grade classes and 1 community event; answer 75 research requests; host 325 public open hours at the Ames History Center; catalog 125 historical Ames objects; present 2 new exhibits at the Ames History Center	March 2017	\$9,250
Present 10 presentations/open houses; take the history trailer to 3 3 rd grade classes and 2 community events; answer 75 research requests; host 325 public open hours at the Ames History Center; catalog 125 historical Ames objects; present 2 new exhibits at the Ames History Center	June 2017	\$9,250

Ames International Partner Cities Association		\$5,000
Funds provided shall be used to undertake such activities as will foster and promote friendly relations and mutual understanding between the people of Ames, Iowa and people of similar cities of other nations. These activities shall include the hosting of international delegations and the sending of delegation leaders. The Provider shall also act as a coordinating influence among those organizations, groups and individuals desiring to engage in activities furthering those objectives and purposes stated above.		
Drawdown Schedule:		
<u>Task</u>	<u>Date</u>	<u>Amount</u>
Hosting Expenses for visiting youth delegation	September 2016	\$2,400
Partial travel expenses for adult delegation trip leader(s)	June 2017	\$2,100
Supplies and Equipment	June 2017	\$500

Campustown Action Association (Ames Chamber of Commerce)		\$27,000
Provider shall:		
1. Research and develop a plan to improve the cleanliness of outdoor areas within Campustown		
2. Develop and host two summer events open to the public, in addition to Summerfest		
3. Develop an ongoing community outreach committee to coordinate efforts among organizations and entities to improve Campustown		
4. Implement an expanded “Make Campustown Shine” program to clean outdoors areas within Campustown		
5. Promote the Campustown Façade Grant program and application opportunity to eligible property owners in Campustown		
7. Serve as a point of contact for coordinating events held in Campustown, regardless of whether the event is sponsored by the Provider or another entity.		
<u>Task</u>	<u>Date</u>	<u>Amount</u>
Research and develop a plan to improve the cleanliness of outdoor areas within Campustown	August 2016	\$4,000
Develop and host two summer events	September 2016	\$5,000
Develop an ongoing community outreach committee	October 2016	\$6,000
Implement an expanded “Make Campustown Shine” program	January 2017	\$4,000
Promote the Campustown Façade Grant program	March 2017	\$2,000
Plan and execute Summerfest in Campustown	June 2017	\$6,000

Hunziker Youth Sports Complex		\$28,300
Funds awarded shall be used towards the facilities, equipment, and services required to provide youth sports programs for the Ames community. In turn, participants in sports programs will be charged lower participant fees than they would if operating expenses were not subsidized.		
<u>Task</u>	<u>Date</u>	<u>Amount</u>
Provide a youth sports program comprising baseball, soccer, and softball	October 2016	\$28,300

Main Street Cultural District		\$39,600
Fulfill all requirements to maintain Ames as a designated Main Street Iowa community:		
\$21,000		
<i>The Main Street Iowa program provides comprehensive support and assistance to participating communities to enhance local downtown and economic development efforts. The program provides access to financial incentives and ongoing technical assistance in the areas of architectural/historic preservation, design, business development, economic development, market analysis, capacity building, and district marking. Services are provided to communities which maintain National Main Street Accreditation and Main Street Iowa program requirements.</i>		
<ul style="list-style-type: none"> ▪ <u>The Provider shall:</u> <ul style="list-style-type: none"> i. Fulfill all program and accreditation requirements to maintain Main Street Iowa designation. ii. Serve as the point of local contact and base of knowledge for downtown revitalization, economic development strategies in the MSCD, Main Street Iowa, and the National Main 		

Street Center.

- iii. Facilitate the technical services provided through the Main Street Iowa program.
- iv. Maintain current Main Street district building and business inventory.
- v. Maintain and share appropriate district statistics per Main Street Iowa accreditation and program requirement processes.
- vi. Represent downtown Ames and the community of Ames at local, state, and national Main Street conferences, marketing, and business events.

Enhance the look and feel of the Main Street Cultural District: \$9,000

Improving the physical appearance of downtown provides the foundation for economic development and creates a catalyst for private investment. The local Main Street program will continue to create an atmosphere in the Main Street Cultural District that encourages local residents to do their business, live, work, and be entertained in downtown Ames.

▪ **The Provider shall:**

- i. Serve as the point of contact and base of knowledge for downtown historic preservation efforts, downtown development strategies, and district wide improvement efforts.
- ii. Assist in the marketing and implementation of the Ames Downtown Façade Grant Program.
- iii. Initiate district beautification projects, including but not limited to hosting clean up days, purchasing flowers/plant and mulch, labor costs of planting and maintaining downtown plantings throughout the spring, summer, and fall months.
- iv. Identify and implement strategies to create upper floor housing in the Downtown area. A report will be delivered to the City Council identifying efforts to be taken independently towards this goal, as well as identifying specific codes and policies, if any, under the control of the City Council that could be modified to address this issue.

Reestablish the Main Street Cultural District as the social gathering space for Ames:

\$9,600

Strengthening the social value of downtown through retail and special events draws people to the community and district, enhances the positive image of the community, and increases exposure and economic opportunity for downtown businesses.

▪ **The Provider shall:**

- i. Serve as a point of contact for coordinating community events held in the Main Street Cultural District by other entities.
- ii. Host a series of community-oriented family summer events to draw outside visitors to the cultural and business center of Ames, Iowa. These events shall include: Art Walk (\$1,500), 4th of July Parade (\$5,500), Music Walk (\$1,500), and Bike Night (\$1,100).
- iii. Budget for each event includes any marketing and advertisement costs, administrative costs, permit costs, outside entertainment costs such as live music, security costs, and miscellaneous costs associated with putting on an event that is geared to attract hundreds and thousands of participants and increase business traffic and revenue within the Main Street Cultural District.

In consideration of the foregoing, the City of Ames shall be recognized as an investor in the Main Street Cultural District.

Drawdown Schedule:

<u>Task</u>	<u>Date</u>	<u>Amount</u>
Host 4 th of July Parade	July 2016	\$5,500
Fulfill req'ts to maintain Ames as an MSI community (pt 1)	August 2016	\$10,500
Host Music Walk	September 2016	\$1,500
Host Main Street Bike Night	October 2016	\$1,100

Develop upper-floor housing strategies	November 2016	\$3,500
Fulfill req'ts to maintain Ames as an MSI community (pt 2)	January 2017	\$10,500
Enhance the Look and Feel of the MCSD - beautification	May 2017	\$5,500
Host Art Walk	June 2017	\$1,500

ALTERNATIVES:

1. Approve outside funding contracts with the organizations listed above for FY 2016/17
2. Modify the authorized amount or scope of services for one or more organizations
3. Do not approve these funding contracts.

MANAGER'S RECOMMENDED ACTION:

Funding for these activities was included in the City's Adopted FY 2016/17 Budget. These scopes of services have been developed in cooperation with the organizations to ensure that the City's funding is used for the benefit of the public.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving outside funding contracts with the organizations listed above for FY 2016/17.

COUNCIL ACTION FORM

SUBJECT: APPROVAL OF CONTRACT WITH MAIN STREET CULTURAL DISTRICT FOR DOWNTOWN HOLIDAY LIGHTS

BACKGROUND:

During the February budget hearings, the City Council allocated \$20,000 in Local Option Sales Tax funds for the Main Street Cultural District (MSCD) to use in FY 2015/16 towards the installation of the downtown holiday lighting. City staff developed an agreement authorizing the use of that funding, which MSCD has signed and returned for the City Council's approval.

The City Council should note that this agreement does not obligate the City to provide the electricity for the lighting into the future. The six existing electric accounts that meter the electricity for the current installation are in the City's name. With the present lighting installation, MSCD historically would approach the City prior to the holiday season to request a waiver of the fees for the lighting. The City has always obliged and provided free electricity. However, the new installation is intended to be in use year-round.

City staff has requested that if it is MSCD's intent that the City pay for year-round lighting costs, that it: 1) Provide information as to the estimated electric consumption of the new lighting system, and 2) make a separate request of the City Council with a proposal to that effect. Alternatives for whether and how to provide electricity could then be considered by the City Council.

The scope of services for the proposed agreement reads as follows:

The Provider shall procure and install decorative LED lighting along the rooflines of buildings along both sides of Main Street in Ames. The project shall extend in accordance with the project scope outlined by Channelbrite Lighting Company quote form dated August 7, 2015, which is attached as an exhibit to this Agreement (Exhibit A), and describes an installation on the south side of Main Street from Liberty Tax Service to Chic Beauty Salon, Edward Jones to Husqvarna, Cup Café to Main Street Magic, and Bar La Tosca to Wells Fargo, and along the north side of Main Street from Star Studio to Nova Scan, Kitchen Bath to the Loft, Younique to Everts, and US Bank to KASI Radio.

The lights shall be used for holiday and special event decoration, as well as for other decorative purposes as the Provider sees fit. The Provider shall be responsible for any electricity costs, maintenance, repairs, or replacement of the lighting. The Provider shall secure permission of the property owners upon whose properties the lighting will be installed, and shall be responsible for ensuring the installation complies with all applicable codes and requirements.

ALTERNATIVES:

1. Approve an agreement with Main Street Cultural District in the amount of \$20,000 for downtown holiday lighting.
2. Modify the authorized amount or scope of services
3. Do not approve this agreement.

MANAGER'S RECOMMENDED ACTION:

Funding for this activity was included in the City's adopted FY 2016/17 Budget. This scope of services has been developed in cooperation with MSCD to ensure that the City's funding is used for the benefit of the public. **MSCD has been informed that a further request must be made if it is its intent for the City to provide electricity for the installation on an ongoing basis in the future.**

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving an agreement with Main Street Cultural District in the amount of \$20,000 for downtown holiday lighting.

COUNCIL ACTION FORM

**SUBJECT: HEALTH INSURANCE ADMINISTRATIVE SERVICES CONTRACT
RENEWAL**

BACKGROUND:

Twelve years ago the City sought alternative bids for administrative services and excess coverage for our self-insured health and pharmacy programs. At that time we added requirements developed by an internal Health Insurance Team. That team's final report and recommendations served as the basis for the request for proposal (RFP) that yielded three quotations. The City Council subsequently approved award of the administrative services and excess coverage to Wellmark Blue Cross Blue Shield of Iowa.

Over the past twelve years Wellmark has provided good customer service and has had a commendable record of accurate and timely claims payments. Wellmark also has advantageous contractual relationships with medical providers in Ames and throughout Iowa that allow the City to receive significant discounts on services received. Wellmark has a proven record of being able to administer the existing plans and has been a willing and capable partner in our efforts to improve the health status of employees and their families through quality programs and health promotion.

Effective July 1, 2016, Wellmark will charge \$42.79 per employee per month in **administrative and access fees** for a yearly total of \$275,739. This is an increase of 1.25% over 2015/16.

Effective July 1, 2016, Wellmark will charge \$46.73 per employee per month for **specific and aggregate stop loss premiums**. The individual stop loss protects the City from specific claims that exceed \$125,000 incurred in one year, while the aggregate stop loss protects the City in the event that total claims exceed 120% of projected losses.

In 2015/16 the stop loss rate charged per employee per month was \$35.97. However, the stop loss trend over the past several years has significantly exceeded Wellmark's projections. For that reason, the stop loss rates for 2016/17 will increase by nearly 30%. In 2016/17 the City will pay \$301,129 in specific and aggregate stop loss premiums.

The total increase for health care costs and administrative fees is 5.57%. This will be covered by the 7% increase included in the FY 2016/17 Budget.

ALTERNATIVES:

1. Accept the renewal documents from Wellmark for administrative services, specific and aggregate excess insurance, and access fees for benefits effective from July 1, 2016 to June 30, 2017.
2. Do not renew the City's health insurance administrative services contract with Wellmark.

MANAGER'S RECOMMENDED ACTION:

Wellmark has been an effective administrator of the City's health care administrative services. Wellmark's services are cost-effective, and they have a strong working relationship with the City's other health care partners. Renewal of this contract will provide the best value to the City in administering its health insurance program.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby approving the renewal for administrative services, specific and aggregate excess insurance, and network access fees with Wellmark Blue Cross Blue Shield of Iowa for the period from July 1, 2016 to June 30, 2017.

COUNCIL ACTION FORM

SUBJECT: PROPERTY BROKER AND INSURANCE RENEWAL FOR FY 2016/17

BACKGROUND:

The City contracts with Willis of Illinois, Inc., to provide property insurance brokerage services for the City's property insurance program. The insurance program requires annual renewals of two components. The first is extending the City's agreement with Willis for property insurance brokerage services; and the second is accepting the actual renewal premium quotations for the City's property insurance program.

Part One – Broker Contract One Year Extension

Effective July 1, 2012, the City entered into a three year program with Willis of Illinois, Inc., for property insurance brokerage services. The contract included two extension options of one year each. **The recommended FY 2016/17 contract renewal will be the second of the two optional one year extensions. The annual fee will be \$45,000, which has remained unchanged since 2012.** Willis has done an effective job providing brokerage, consulting and insurance placement services since the inception of the contract.

During Willis' original three year term, beginning with the FY 2012/13 renewal, the City made major risk management changes to its property insurance program.

The first major change was splitting the property insurance program into two parts, with one part covering power (Power Plant & Resource Recovery Plant) and related assets, and the other part covering all other municipal property. This enabled the City to consider insurance companies with coverages tailored to both types of risks. The "Power" and related insurance was placed by Willis with Associated Electric and Gas Insurance Services (AEGIS), which specializes in utilities. The "Non-power" or "Municipal" facilities insurance was placed with Chubb Insurance Group with an insurance policy specifically designed for municipal properties. This approach enabled optimization of terms and pricing based on the insurer's specializations, versus placing insurance in a "one size fits all" program.

The second major change was the approach to financing the City's property risk, either through insurance or self-insurance. The question of "how much insurance is enough?" was addressed by the City Council in June 2012. Historically, it was determined to be prudent to purchase insurance limits equal to 100% of the total value of all property assets, even if the worst case loss scenario would never result in a claim equal to 100%

As an alternative to insuring at 100% of value, the City Council determined it would use the widely accepted risk management technique known as Maximum Foreseeable Loss

(MFL) for quantifying a worst case scenario to finance or insure the City’s property risk. The City used a model of an EF5 tornado with a wide swath, touching down at or near the CyRide facility, traveling east and parallel with Lincoln Way, and not lifting up until after it had passed the Public Works Maintenance Facility in east Ames. This MFL assumption is now used to calculate the Total Insured Value (TIV) included in the two part property insurance program.

Utilizing the MFL valuation approach, Electric Services advises that, in the event the Power Plant sustained a total loss, it would not be replaced in its current configuration. Therefore, the City’s TIV amount does not include a full Replacement Cost claim of \$311 million. Instead, the total loss (MFL) estimate used for the Power Plant is based on an Actual Cash Value (ACV) claim of \$124 million. This amount is estimated to be sufficient to replace the same megawatt capacity with a new natural gas generating plant. Other than the Power Plant, all other assets are insured at estimated replacement cost.

Part Two – Insurance Renewal

Besides approving the one year extension of Willis’ contract, Council is asked to consider renewal premium quotations for the two part insurance program. The quotation proposals from the expiring insurance companies, Chubb (Municipal) and AEGIS (Power related), are summarized in the table below:

Summary of City of Ames Two Part Program Costs For “Municipal” & “Power” Insurance			
<i>Council Action</i> needed for Annual Premiums in Shaded Cells	FY 2016/17 Proposed COMBINED ANNUAL PREMIUM	FY 2015/16 ANNUAL PREMIUM	Difference 2016/17 vs. 2015/16
“Municipal” Properties (Chubb) including CyRide Buses on Premises Coverage	\$114,273	\$117,858	-3.0%
\$5.0M Excess Flood Layer covers flood zones and includes WPC, CyRide & Furman Aquatic. Insurer is RSUI since 2012.	\$45,000	\$45,000	Flat
“Power” Properties (AEGIS), including Terrorism and all taxes	\$484,666	\$499,999	-3.1%
Total Insurance Premiums	\$643,939	\$662,857	-2.9%

TOTAL COST RECAP

Property Insurance Program Costs (Approval requested)	FY 2016/17	FY 2015/16	Difference
Total Premiums from above Table	\$643,939	\$662,857	-2.9%
Annual Broker Fee (Willis 1-yr. extension)	\$45,000	\$45,000	--
TOTAL COST of Premiums and Broker	\$688,939	\$707,857	-2.7%
APPROVED BUDGET	\$775,991	\$795,000	

In addition to the \$643,939 for premiums noted in the above table, Willis' annual brokerage fee is \$45,000. Therefore, the total cost of the two part property insurance program described above is \$688,939. This is 2.7% less than the previous fiscal year total and 5.5% less than the approved FY 2015/16 budget amount of \$729,250. (See attachment A for a detailed breakdown that includes rates and insured values changes.)

The adopted budget includes funds to insure the new water treatment plant when it is added to the Chubb policy next year.

ALTERNATIVES

1. Approve **a)** the one year extension of the Willis of Illinois broker contract in the amount of **\$45,000**, and **b)** the proposed 2016/17 Annual Premium for "Power" and "Municipal" properties, brokered by Willis, of **\$643,939**, for a total cost of **\$688,939**.
2. Direct staff to seek other options for insuring the City's property.

MANAGER'S RECOMMENDED ACTION:

The proposed insurance renewal quotes obtained by the City's broker, Willis of Illinois, Inc., for the "Municipal" buildings from Chubb Group, for the Excess Flood insurance from RSUI, and for the "Power" and related facilities from AEGIS, as shown in the shaded cells in the above tables, provide appropriate coverage for the City's property assets. The FY 2016/17 program is essentially the same as the expiring FY 2015/16 insurance coverages.

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

Attachment A – Details of Renewal Premium Quotes, Rates and Insured Values

2016/17 ‘Power’ Facilities Premium Renewal Pricing (AEGIS) Same basic program as expiring, except terrorism is included in TRIA			
“Power” and Related Assets Coverage	FY2016/17 AEGIS	FY2015/16 AEGIS	Difference 2015/16 vs. 2014/15
Indexed Insured Values @ Replacement Cost	\$400,516,414	\$387,924,474	+3.2%
Amount of Coverage Purchased (MFL Basis; assumes Power Plant Total Loss @ ACV)	\$200,000,000	\$200,000,000	--
Account Rate	\$0.1165	\$0.1289	-9.6%
Total Power Related Premium, with Terrorism Coverage Cost; a 1% surplus lines tax; and the Loss Control Fee	\$484,666	\$499,999	-3.1%

2016/15 ‘Municipal’ Facilities Premium Renewal Pricing (Chubb Group & RSUI) Same basic program as expiring			
Chubb “Municipal” Assets Coverage	FY2015/16 CHUBB	FY2014/15 CHUBB	Difference 2015/16 vs. 2014/15
Indexed Insured Values @ Replacement Cost, including CyRide Buses on Premises	\$158,653,815	\$154,824,237	+2.5%
Excess Flood Limits, applies to WPC, CyRide, Furman Aquatic Center.	\$5,000,000	\$5,000,000	--
Chubb Premium	\$114,273	\$117,858	-3.0%
Chubb Rate	.0720	.0761	-5.4%
Excess Flood \$5.0 million Layer (RSUI)	\$45,000	\$45,000	--
Total Municipal Property Premium	\$159,273	\$162,858	-2.2%

COUNCIL ACTION FORM

SUBJECT: **ENGINEERING SERVICES FOR SQUAW CREEK WATER MAIN PROTECTION PROJECT**

BACKGROUND:

Included in the 2012-2017 Capital Improvements Plan (CIP) was a program entitled Flood Response and Mitigation Projects that included \$820,000 in General Obligation Bonds and \$325,000 in Storm Sewer Utility Funds. Portions of this funding were used on a flood mitigation project in Northridge Subdivision/Moore Memorial Park and for bank stabilization near Utah Drive and another location near North Riverside. These three projects are now complete. **The two remaining projects are the Trail Ridge Landslide and the Squaw Creek Water Main Protection projects (this project).** Unspent local funding totaling \$628,737 has been carried forward through budget amendments.

On March 22, 2016, City Council approved the Grant Agreement with Federal Emergency Management Agency's (FEMA)/ Iowa Homeland Security and Emergency Management Department (HSEMD) for Phase II of the City of Ames, Squaw Creek Water Main Protection Project. Under this agreement, FEMA and State of Iowa (through Iowa Homeland Security) will pay up to \$571,370 (85%) for this project, with the City contributing \$100,830 (15%). This project has been actively pursued since the 2010 floods.

The alternative recommended in the October 2015 Phase I report to progress toward Phase II (construction) is based on a stream restoration approach utilizing integrated/bioengineering techniques. Bank stabilization techniques would consist of flattening the banks, construction of terraces within the banks, utilization of revetment stone for stabilization at lower elevations (up to the terrace), and structural soil (soil filled rock) with native plantings at elevations above the terrace. The project will also consist of installing a rock flume (rip rap) downstream of the low head dam to eliminate the eddy pool contributing to the bank erosion.

Considering the current and future risk to the existing infrastructure, restoring a gradual transition downstream of the dam is recommended. This option is considered the most cost-effective to achieve the objectives and would also improve ecological functions and aquatic habitat, as well as reduce the area disturbed by the project.

Professional services proposals were received and rated by City staff for design work associated with the recommended Phase II tasks as agreed upon by FEMA and HSEMD. Three proposals were received and rated as follows:

Firm	Average Score	Rank	Estimated Fee
Snyder	89	1	\$111,900
RDG	76	2	\$ 99,200
Knight A/E	75	3	\$ 70,024

After analyzing the ratings and discussing the content of the proposal including similar project experience, staff evaluation committee is recommending awarding this engineering services contract to Snyder & Associates of Ankeny, IA. **Through previous projects, Snyder & Associates has already developed a hydraulic model of Squaw Creek and the company’s knowledge of this section of Squaw Creek is exponentially higher at this time than the other two proposals reviewed. Their proposed fee is reasonable considering the work to be completed as part of Phase II. In addition, Snyder & Associates has indicated that their current workload enables them to complete this project on-time. Snyder & Associates has prior experience with FEMA Hazard Mitigation funded projects as well as experience in working with the environmental permitting process of the Corps of Engineers and Iowa Department of Natural Resources.**

The budget for this project is:

Revenue:		Expenses:	
Grants	\$571,370	Engineering Design & Inspection	\$111,900
City of Ames	\$100,830	Construction	\$560,300
Total	\$672,200	Total	\$672,200

ALTERNATIVES:

1. Approve a professional services agreement with Snyder & Associates of Ankeny, Iowa, for work associated with Phase II of the City of Ames, Squaw Creek Water Main Protection Project at a not to exceed cost of \$111,900.
2. Direct staff to negotiate a professional services agreement with a different company.

MANAGER’S RECOMMENDED ACTION:

Through approving this agreement for Phase II, the City will work toward protecting the existing 24-inch water main under Squaw Creek at Lincoln Way using the authorized federal, state, and local funding as approved by City Council on March 22, 2016. Delay of approving this professional services agreement could jeopardize receipt of federal and state funding, due to this project being on an extremely tight schedule as directed by FEMA.

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

COUNCIL ACTION FORM

SUBJECT: APPROVAL OF IOWA ECONOMIC DEVELOPMENT AUTHORITY CONTRACT FOR FINANCIAL ASSISTANCE FOR XPANXION, LLC WITH LOCAL MATCH IN THE FORM OF AN \$18,000 FORGIVABLE LOAN

BACKGROUND:

Xpanxion, LLC is a software services company with operating offices in five states and Pune, India. The company is a wholly owned subsidiary of California-based UST Global. The Xpanxion Ames office, which opened in 2011 and has grown from 14 to 41 employees, provides software development and testing operations. The company has applied for economic development assistance for a project that includes consolidating offices from four suites across two buildings to a single location that will accommodate both the current workforce and the addition of 45 new full-time positions.

Thirty-six of the 45 new jobs exceed the High Quality Job Program threshold of \$42,307 and all will exceed within 36 months of the incentive award. The Iowa Economic Development Authority (IEDA) has agreed to provide incentives to the company including a \$90,000 forgivable loan. Xpanxion is also eligible for \$299,000 in job training from the State of Iowa. A condition of the state assistance is a local match in the form of an \$18,000 forgivable loan. Funding for the local match will be half from the City of Ames and half from the Ames Economic Development Commission.

At the July 28, 2015 meeting, the City Council endorsed an Xpanxion application for economic development assistance to the IEDA that included a \$90,000 no interest loan and \$90,000 forgivable loan. The local match included in the application was an \$18,000 no interest loan and a \$18,000 forgivable loan. The company has decided to go forward with only the forgivable portion of the assistance.

The company has also requested different terms than the usual forgivable loan terms. In other cases, the City and IEDA provide the funding up front when certain conditions are met (start of project, etc.). The company then proceeds with the project and at the end of the agreement term, loan forgiveness is determined based on employment and terms of the agreement. **In the case of Xpanxion, the funding and loan forgiveness will occur at the end of the term of the agreement.** This is based on the application for assistance which identified a "Location Disadvantage" (Incentive), rather than the more typical "Financing Gap". Xpanxion was deciding between expanding at the site in Ames or a similar existing lower cost site in Nebraska. This funding method results in less risk for the City of Ames and reduces administration of collateral.

ALTERNATIVES:

1. Adopt a resolution approving the contract for economic development assistance between the City of Ames, the Iowa Economic Development Authority and Xpanxion, LLC and a local match contract providing an \$18,000 forgivable loan.
2. Do not adopt a resolution approving the Xpanxion economic development assistance.

MANAGER'S RECOMMENDED ACTION:

Xpanxion is an established, growing software company that has selected Ames as the location to make an investment of capital to expand high paying jobs. In keeping with the Council's goal to promote economic development, this project will expand the number of quality jobs within our city.

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

***ECONOMIC DEVELOPMENT
ASSISTANCE CONTRACT***

BY

XPANXION, LLC,

THE CITY OF AMES,

AND THE

IOWA ECONOMIC DEVELOPMENT AUTHORITY

CONTRACT NUMBER: 16-DF-010

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CONTRACT EXHIBITS

Exhibit A -	Recipient's Financial Assistance Application (on file with IEDA), Application # 16-HQJDF-007
Exhibit B-2	High Quality Jobs Program – Project Completion Assistance Component Special Conditions
Exhibit C -	Description of the Project and Award Budget
Exhibit D -	Job Obligations
Exhibit F -	Promissory Note

Economic Development Assistance Contract

RECIPIENT:	XPANXION, LLC
COMMUNITY:	CITY OF AMES
CONTRACT NUMBER:	16-DF-010
AWARD DATE:	AUGUST 21, 2015
AWARD AMT. – FINANCIAL ASSISTANCE	\$90,000

This ECONOMIC DEVELOPMENT ASSISTANCE CONTRACT (Contract) is made as of the Contract Effective Date by the Iowa Economic Development Authority (IEDA or Authority), 200 East Grand Avenue, Des Moines, IA 50309, and Xpanxion, LLC (Recipient), 1601 Golden Aspen Drive, Suite 108, Ames, IA 50010 and the City of Ames (Community), 515 Clark Avenue, Ames, IA 50010.

WHEREAS, the Recipient submitted an application to IEDA requesting assistance in financing its Project as more fully described in Exhibit C, *Description of the Project and Award Budget* (the Project); and

WHEREAS, the Iowa Economic Development Authority Board (IEDA Board) awarded the Recipient assistance for the Project from the funding sources identified herein (collectively, the Award), all of which are subject to the terms and conditions set forth herein; and

NOW THEREFORE, in consideration of the mutual promises contained herein and intending to be legally bound, the Recipient, the Community and IEDA agree to the following terms:

ARTICLE 1: CONTRACT DURATION

This Contract shall be in effect on the Contract Effective Date and shall remain in effect until after completion of each of the following:

(a) *Through Project Completion Date.* Through the Project Completion Period and for a reasonable period of time after Project Completion Date during which IEDA will conduct Project closeout procedures to verify that the Project was completed in compliance with Contract requirements.

(b) *Through Maintenance Period Completion Date and Contract Closeout.* Through the Maintenance Period Completion Date and for a reasonable period of time after Maintenance Period Completion Date during which IEDA will conduct closeout procedures to verify that the Project was maintained in compliance with Contract requirements.

(c) *Repayment or Payment Obligation.* Until all outstanding amounts due to IEDA, if any, are received by IEDA or all outstanding obligations to IEDA are satisfied in full.

(d) *Contract End Date.* Until IEDA has completed Contract closeout procedures and provided Recipient and Community with written Notice of Final Contract Closeout. This Contract shall terminate as of the date stated in the written Notice of Final Contract Closeout. Such date shall be the Contract End Date.

ARTICLE 2: DEFINITIONS

The following terms apply to this Contract:

“*Affiliate*” means any entity to which any of the following applies:

- a. Directly, indirectly, or constructively controls another entity.
- b. Is directly, indirectly or constructively controlled by another entity.
- c. Is subject to the control of a common entity. A common entity is one which owns directly or individually more than ten percent of the voting securities of the entity.

“*Award*” means any and all assistance provided by IEDA for the Project under this Contract.

“*Award Date*” means the date first stated in this Contract and is the date the IEDA Board approved the award of financial assistance to the Recipient for the Project.

“*Award Funds*” means the cash that is provided by IEDA for this Project as Project Completion Assistance, including loans.

“*Base Employment Level*” means the number of Full-Time Equivalent positions as established by IEDA and Recipient using Recipient’s payroll records, as of the date Recipient applied for Tax Incentives or Project Completion Assistance. The number of jobs Recipient has pledged to create and retain shall be in addition to the Base Employment Level.

“*Benefits*” means nonwage compensation provided to an employee. Benefits include medical and dental insurance plans, pension, retirement, and profit-sharing plans, child care services, life insurance coverage, vision insurance coverage, and disability insurance coverage.

“*Brownfield site*” means an abandoned, idled, or underutilized property where expansion or redevelopment is complicated by real or perceived environmental contamination. A brownfield site includes property contiguous with the site on which the property is located. A brownfield site does not

include property which has been placed, or is proposed for placement, on the national priorities list established pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act, 42, U.S.C. 9601 et seq. In order to administer similar programs in a similar manner, the IEDA will attempt to apply this definition in substantially the same way as similar definitions are applied by the Brownfield Advisory Council established in Iowa code section 15.294 and may consult members of the council or other staff as necessary.

“*Contract Effective Date*” means the latest date on the signature page of this Contract.

“*Contract End Date*” means the date stated in the Notice of Final Contract Closeout issued by IEDA pursuant to Article 1.

“*Created Job*” means a new, permanent, Full-Time Equivalent (FTE) position added to Recipient’s payroll in excess of the Base Employment Level at the time of application for Tax Incentives or Project Completion Assistance.

“*Forgivable Loan*” means a form of an Award made by IEDA to the Recipient for which repayment is eliminated in part or entirely if the Recipient satisfies the terms of this Contract.

“*Full-Time Equivalent job, ” “FTE, ” or “full-time*” means the employment of one person:

1. For 8 hours per day for a 5-day, 40-hour workweek for 52 weeks per year, including paid holidays, vacations and other paid leave; or
2. The number of hours or days per week, including paid holidays, vacations and other paid leave, currently established by schedule, custom, or otherwise, as constituting a week of full-time work for the kind of service an individual performs for an employing unit, provided that the number of hours per week is at least 32 hours per week for 52 weeks per year including paid holidays, vacations, and other paid leave.

For purposes of this definition, “employment of one person” means the employment of one natural person and does not include “job sharing” or any other means of aggregation or combination of hours worked by more than one natural person.

“*Grayfield site*” means a property meeting all of the following requirements:

- a. The property has been developed and has infrastructure in place, but the property’s current use is outdated or prevents a better or more efficient use of the property. Such property includes vacant, blighted, obsolete, or otherwise underutilized property.
- b. The property’s improvements and infrastructure are at least twenty-five years old and one or more of the following conditions exists:
 - (1) Thirty percent or more of a building located on the property that is available for occupancy has been vacant or unoccupied for a period of twelve months or more.
 - (2) The assessed value of the improvements on the property has decreased by twenty-five percent or more.
 - (3) The property is currently being used as a parking lot.
 - (4) The improvements on the property no longer exist.
- c. The Authority will attempt to apply this definition in substantially the same manner as similar definitions are applied by the Brownfield Advisory Council established in Iowa code section 15.294.

“*Job Obligations*” means the jobs that must be created or retained as a result of receipt of state or federal financial assistance, Project Completion Assistance, or Tax Incentives from IEDA and that are required to meet the Qualifying Wage Threshold requirements. Recipient’s Job Obligations are specified in Exhibit D of this Contract. Jobs that do not meet the Qualifying Wage Threshold requirements shall not be counted toward Recipient’s job creation or job retention obligations contained in Exhibit D. The Job

Obligations in Exhibit D include Recipient's Base Employment Level and the number of new jobs required to be created above the Base Employment Level.

"Laborshed Wage" means the Qualifying Wage Threshold applicable to Recipient's Project as calculated pursuant to rule 261 IAC 173.2 and 261 IAC chapter 174 and as specified in Exhibit D of this Contract.

"Loan" means an Award of assistance with the requirement that the Award be repaid with term, interest rate, and other conditions specified as part of the conditions of the Award. "Loan" includes deferred loans, forgivable loans, and float loans. A "deferred loan" is one for which the payment for principal, interest, or both, is not required for some specified period. A "forgivable loan" is one for which repayment is eliminated in part or entirely if the borrower satisfies specified conditions. A "float loan" means a short-term loan, not to exceed 30 months, made from obligated but unexpended moneys.

"Maintenance Period" means the period of time between the Project Completion Date and the Maintenance Period Completion Date. The Project must be maintained in Iowa for this period of time.

"Maintenance Period Completion Date" means the date on which the Maintenance Period ends. The specific date on which the Maintenance Period ends is identified in Exhibit D.

"Person" means as defined in Article 6.1(g) of this Contract.

"Project" means the description of the work and activities to be completed by the Recipient as outlined in Exhibit C - Description of the Project and Award Budget.

"Project Completion Assistance" means financial assistance or technical assistance provided to an eligible business in order to facilitate the start-up, location, modernization, or expansion of the business in this state and provided in an expedient manner to ensure the successful completion of the start-up location, modernization, or expansion project.

"Project Completion Date" means the date by which the Recipient of incentives or assistance has agreed to meet all the terms and obligations contained in this Contract. The Project Completion Date will be a date by which the project must be completed, all incented jobs must be created or retained, and all other applicable requirements must be met. The specific date on which the project completion period ends is identified in Exhibit D.

"Project Completion Period" means the period of time between the Award Date and the Project Completion Date.

"Qualifying Jobs" are those Created or Retained Jobs that meet or exceed the Qualifying Wage Threshold Requirement established to qualify for program funding for the programs providing assistance to this Project.

"Qualifying Wage Threshold" means the Laborshed Wage as calculated by IEDA pursuant to statute and rule for each program under which financial assistance or Tax Incentives for this Project are awarded. The Qualifying Wage Threshold Requirement for this Project is outlined in Exhibit D, Job Obligations.

"Recipient's Employment Base" means the number of jobs as stated in Exhibit D – Job Obligations that the Recipient and IEDA have established as the Base Employment Level for this Project. The number of jobs the Recipient has pledged to create shall be in addition to the Recipient's Employment Base.

"Retained Job" means an existing job that meets the Qualifying Wage Threshold Requirements and

would be eliminated or moved to another state if the Project did not proceed in Iowa.

“*Security Documents*” means all security agreements, financing statements, mortgages, personal and/or corporate guarantees required by the IEDA Board for this Award.

“*Sufficient Benefits*” means that Recipient offers to each Full-Time Equivalent permanent position a benefits package that meets one of the following:

1. Recipient pays 80 percent of the premium costs for a standard medical plan for single employee coverage with the maximum deductible specified for this project in Exhibit D; or
2. Recipient pays 50 percent of the premium costs for a standard medical plan for employee family coverage with the maximum deductible specified for this project in Exhibit D; or
3. Recipient provides medical coverage and pays the monetary equivalent of paragraph “1” or “2” above in supplemental employee benefits. Benefits counted toward monetary equivalent could include medical coverage, dental coverage, vision insurance, life insurance, pension, retirement, 401k, profit sharing, disability insurance, and child care services.

“*Tax Incentives*” means the tax credits, refunds, or exemptions IEDA has awarded for this Project as detailed in Article 3.

“*Total Project Cost*” means the cost incurred by the Recipient to complete the Project as described in Exhibit C.

ARTICLE 3: AWARD TERMS

3.1 Total Award Amount. The IEDA Board has approved an Award to the Community and Recipient from the funding sources and in the maximum amounts shown below:

PROJECT COMPLETION ASSISTANCE	FORM	MAXIMUM AMOUNT
High Quality Jobs Program	Forgivable Loan	\$ 90,000
<i>TOTAL FINANCIAL ASSISTANCE:</i>		<i>\$90,000</i>

3.2 Terms and Conditions of Award. The terms and conditions of the Award shall be as described in this Contract and the following incorporated exhibit(s):

Exhibit B-2 High Quality Jobs Program – Project Completion Assistance Component Special Conditions

ARTICLE 4: CONDITIONS TO AWARD; DISBURSEMENT AND ISSUANCE TERMS

4.1 Direct State Financial Assistance – Disbursements of Award Funds.

(a) *Conditions to Disbursement.* The obligation of IEDA to disburse funds under this Contract shall be subject to the conditions described in this Article 4.

(b) *Process to Request Disbursement of Award Funds.* Recipient shall prepare, sign and submit disbursement requests and reports as specified in this Contract in the form and content required by IEDA.

Recipient shall verify that claimed expenditures are allowable costs. The Recipient shall maintain documentation adequate to support the claimed costs.

(c) *Documents Submitted.* Funds will not be disbursed until IEDA has received the documents described in section 4.3 below as well as the following additional documents, properly executed and completed and approved by IEDA as to form and substance:

1. *Security Documents.* The fully executed Security Documents required in Article 5.
2. *Promissory Note(s).* The Promissory Note(s) required and described in the exhibit(s).
3. *Requests for Disbursement.* All disbursements of Award Funds shall be subject to receipt by the IEDA of requests for disbursement, in form and content acceptable to IEDA, submitted by the Recipient. All requests shall include documentation of costs that have been paid or costs to be paid immediately upon receipt of Award proceeds.

(d) *Prior Costs.* No expenditures made prior to the Award Date may be included as Project costs. No funds will be disbursed for expenditures prior to the Award Date.

(e) *Cost Variation.* In the event that the actual cost of the Project is less than the Total Project Cost specified in Exhibit C, the Award Funds specified in Article 3.1 shall be reduced at the same ratio as the reduction in the actual cost of the Project bears to the Total Project Cost specified in Exhibit B. Any funds previously disbursed by IEDA in excess of the reduced Award Funds to be provided by IEDA shall be returned to IEDA immediately upon receipt by Recipient's of a written request by IEDA for repayment.

(f) *Investment of Award Funds.*

1. In the event that the Award Funds are not immediately utilized, temporarily idle Award Funds held by the Recipient may be invested, provided that such investments shall be in accordance with State law, including but not limited to the provisions of Iowa Code chapter 12C concerning the deposit of public funds. Interest accrued on temporarily idle Award Funds held by the Recipient shall be credited to and expended on the Project prior to the expenditure of other Award Funds.

2. Within ten (10) days of receipt of a written request from IEDA, Recipient shall inform IEDA in writing of the amount of unexpended Award Funds in the Recipient's possession or under the Recipient's control, whether in the form of cash on hand, investments, or otherwise. Recipient shall return to IEDA all unexpended Award Funds remaining, including accrued interest, after all allowable Project costs have been paid or obligated within thirty (30) days after the Project Completion Date.

4.2 Tax Incentives—Conditions to Issuance of Tax Credit Number.

(a) *Tax Credit Number Required to Claim Incentives.* Recipient shall not claim the Tax Incentives described in Article 3 until IEDA has issued a tax credit number for this Project and Recipient has undertaken the activities described in this Contract and the applicable law to be eligible for such Tax Incentives.

(b) *Issuance of Tax Credit Number.* Upon satisfaction of the conditions described herein, IEDA will issue a tax credit number to the Recipient for this Project. The tax credit number shall be used in preparing any claims for Tax Incentives.

(c) *Conditions to Issuance of Tax Credit Number.* The obligation of IEDA to issue a tax credit number shall be subject to the conditions precedent described in Article 4.

(d) *Documents Submitted.* IEDA shall have received the documents described in section 4.3, properly executed and completed, and approved by IEDA as to form and substance, prior to issuing any tax credit number.

4.3 Documents required.

(a) *Contract.* Fully executed Contract.

(b) *Incorporation Documents.* Copies of the Articles of Incorporation or the Articles of Organization, whichever is appropriate, of the Recipient, certified in each instance by its secretary or assistant secretary.

(c) *Certificate of Existence; Certificate of Authority.* A certificate of existence for the Recipient from the State of incorporation or organization, whichever is appropriate, and a certificate of authority authorizing the Recipient to conduct business in the state of Iowa, if it is not organized or incorporated in Iowa.

(d) *Results of Lien and Tax Search and Documentation of Satisfactory Credit History.* Financing statement, tax and judgment lien search results, in the Recipient's state of incorporation or organization, against the Recipient and/or the property serving as the Recipient's security under this Contract, and documentation of satisfactory credit history of the Recipient and guarantors, as applicable, with no judgments or unsatisfied liens or similar adverse credit actions.

(e) *Other Required Documents.* Such other contracts, instruments, documents, certificates and opinions as IEDA may reasonably request.

(f) *Solid or Hazardous Waste Audit.* To comply with Iowa Code section 15A.1(3)"b," if the Recipient generates solid or hazardous waste, it must either: a) submit a copy of the Recipient's existing in-house plan to reduce the amount of waste and safely dispose of the waste based on an in-house audit conducted within the past 3 years; or b) submit an outline of a plan to be developed in-house; or c) submit documentation that the Recipient has authorized the Iowa Department of Natural Resources or Iowa Waste Reduction Center to conduct the audit.

(g) *Release Form – Confidential Tax Information.* A signed Authorization for Release of Confidential State Tax Information form to permit IEDA to receive the Recipient's state tax information directly from the Iowa Department of Revenue for the purpose of evaluation and administration of Tax Incentives and other state financial assistance programs.

(h) *Project Financial Commitments.* The Recipient shall have submitted documentation acceptable to IEDA from the funding sources identified in Exhibit A committing to the specified financial involvement in the Project and received the IEDA's approval of the documentation. The documentation shall include the amount, terms and conditions of the financial commitment, as well as any applicable schedules and may include agreements and resolutions to that effect.

(i) *State Building Code Bureau Approval.* If any part of the Award proceeds will be used for the construction of new buildings and if either of the following applies:

1. The building or structure is located in a governmental subdivision which has not adopted a local building code; or

2. The building or structure is located in a governmental subdivision which has adopted a building code, but the building code is not enforced,

3. Bidding for construction shall not be conducted prior to obtaining written approval of the final plans by the State Building Code Bureau of the Iowa Department of Public Safety.

4.4 Suspension, Reduction or Delay of Award. Any one or more of the following shall be grounds for IEDA to suspend, delay or reduce the amount of disbursement of Award Funds or delay the issuance of a tax credit number or receipt of Tax Incentives:

(a) *Unremedied event of default.* Upon the occurrence of an Event of Default, as defined in this Contract, by the Recipient, IEDA may suspend payment or issuance of the Award to the Recipient until such time as the default has been cured.

(b) *Layoff, closure or relocation.* In the event the Recipient experiences a layoff within the state of Iowa, relocates or closes any of its Iowa facilities IEDA has the discretion to reduce or eliminate some or all of the Award.

(c) *Reduction, discontinuance or alteration of state funding/programs.* Any termination, reduction, or delay of funds or Tax Incentives available due, in whole or in part, to (i) lack of, reduction in, or a deappropriation of revenues or Tax Incentives previously appropriated or authorized for this Contract, or (ii) any other reason beyond the IEDA's control may, in the IEDA's discretion, result in the suspension, reduction or delay of Award Fund or authorization or issuance of Tax Incentives to the Recipient.

4.5 **Closing Cost Fee.** Upon execution of the contract and prior to the issuance of a tax credit number or the disbursement of Award Funds, an eligible business shall remit to the Authority a one-time compliance cost fee in the amount of \$500.

ARTICLE 5: SECURITY REQUIREMENTS

5.1 Security for Project Completion Assistance Awarded. The Recipient shall execute in favor of the IEDA all security agreements, financing statements, mortgages, personal and/or corporate guarantees (the "*Security Documents*") as required by the IEDA Board for this Award.

(a) *Form of Security.* This Contract shall be secured by the collateral described below, shall be incorporated as Exhibit E of this Contract, and shall remain in effect through the Contract End Date:

- Dedicated Certificate of Deposit.

(b) *Value of Collateral.* The value, as reasonably determined by IEDA, of the security shall meet or exceed the amount of Award Funds disbursed.

(c) *Additional or Substitute Collateral.* In case of a decline in the market value of the security or any part thereof, IEDA may require that additional or substitute collateral of quality and value satisfactory to IEDA be pledged as security for this Award. The Recipient shall provide such additional or substitute collateral within 20 days of the date of the request for additional or substitute collateral to secure the Award in an amount equal to or greater than the amount of outstanding Award funds.

(d) *Annual Updated Financials from Guarantor(s) Required.* If the form of security required as described in paragraph (a) above is a guarantee, the Recipient shall annually provide IEDA with current financial statements from the guarantor(s) identified in paragraph "a" above. For purposes of this paragraph, "financial statements" includes but is not limited to profit and loss statement and balance sheet; schedule of aged accounts receivable; schedule of aged accounts payable; and schedule of other debts. These financial statements shall be submitted by Recipient in connection with the Annual Project Status Report required in Article 7.5(b). Updated financial statements may be requested by IEDA more

frequently than annually if IEDA has reason to believe that there has been an adverse change in the financial condition of the guarantor(s), in which case, Recipient shall submit the requested updated financial statements within 20 days of the request.

5.2 Security for Tax Incentives Awarded. The Recipient shall not be required to secure any portion of the Award provided in the form of Tax Incentives.

ARTICLE 6: REPRESENTATIONS AND WARRANTIES

6.1 Representations of Recipient. The Recipient represents and warrants to IEDA as follows:

(a) *Organization and Qualifications.* The Recipient is duly organized, validly existing and in good standing under the state of its incorporation or organization, whichever is appropriate, and is authorized to conduct business in the state of Iowa. The Recipient has full and adequate power to own its property and conduct its business as now conducted, and is duly licensed or qualified and in good standing in each jurisdiction in which the nature of the business conducted by it or the nature of the property owned or leased by it requires such licensing or qualifying, except where the failure to so qualify would not have a material adverse effect on the Recipient's ability to perform its obligations hereunder.

(b) *Authority and Validity of Obligations.* The Recipient has full right and authority to enter into this Contract. The person signing this Contract has full authority on behalf of Recipient to execute this Contract and issue, execute or otherwise secure or deliver any documents or obligations required under this Contract on behalf of the Recipient, and to perform, or cause to be performed, each and all of the obligations under the Contract.

The Contract delivered by the Recipient has been duly authorized, executed and delivered by the Recipient and constitutes the valid and binding obligations of the Recipient and is enforceable against it in accordance with its terms. This Contract and related documents do not contravene any provision of law or any judgment, injunction, order, or decree binding upon the Recipient or any provision of the corporate governance documents of the Recipient, nor does this Contract contravene or constitute a default under any covenant, indenture or contract of or affecting the Recipient or any of its properties.

(c) *Affiliates.* The Recipient has no Affiliates involved with the Project on the Contract Effective Date.

(d) *Financial Reports.* The balance sheet of the Recipient furnished to IEDA fairly presents its financial condition as of said date and is in conformity with Generally Accepted Accounting Principles (GAAP) applied on a consistent basis. The Recipient has no contingent liabilities which are material to it, other than as indicated on such financial statements or, with respect to future periods, on the financial statements furnished to IEDA.

(e) *No Material Adverse Change.* Since the Award Date, there has been no change or the Recipient foresees no change in the condition (financial or otherwise) of the Recipient or the prospects of the Recipient, except those occurring in the ordinary course of business, none of which individually or in the aggregate has been materially adverse. To the knowledge of the Recipient, there has been no material adverse change in the condition of the Recipient, financial or otherwise, or the prospects of the Recipient.

(f) *Full Disclosure; Recipient's Financial Assistance Application.* The statements and other information furnished to the IEDA by Recipient in its Financial Assistance Application and in connection with the negotiation of this Contract do not contain any untrue statements of a material fact or omit a material fact necessary to make the material statements contained herein or therein not misleading. The IEDA acknowledges that, as to any projections furnished to the IEDA, the Recipient only represents that

the same were prepared on the basis of information and estimates it believed to be reasonable.

(g) *Trademarks, Franchises and Licenses.* The Recipient owns, possesses, or has the right to use all necessary patents, licenses, franchises, trademarks, trade names, trade styles, copyrights, trade secrets, knowhow and confidential commercial and proprietary information to conduct its business as now conducted, without known conflict with any patent, license, franchise, trademark, trade name, trade style, copyright or other proprietary right of any other Person. As used in this Contract, “*Person*” means an individual, partnership, corporation, association, trust, unincorporated organization or any other entity or organization, including a government or agency or political subdivision thereof.

(h) *Governmental Authority and Licensing.* The Recipient has received all licenses, permits, and approvals of all Federal, state, local, and foreign governmental authorities, if any, necessary to conduct its business, in each case where the failure to obtain or maintain the same could reasonably be expected to have a material adverse effect. No investigation or proceeding which, if adversely determined, could reasonably be expected to result in revocation or denial of any material license, permit, or approval is pending or, to the knowledge of the Recipient, threatened.

(i) *Litigation and Other Controversies.* There is no litigation or governmental proceeding pending, nor to the knowledge of the Recipient, threatened, against the Recipient which, if adversely determined would result in any material adverse change in the financial condition, properties, business or operations of the Recipient, nor is the Recipient aware of any existing basis for any such litigation or governmental proceeding.

(j) *Good Title.* The Recipient has good and defensible title to or valid leasehold interests in all of its property involved with the Project including, without limitation, the Secured Property if real property is a security for this Contract reflected on the most recent balance sheets furnished to the IEDA, except for sales of assets in the ordinary course of business.

(k) *Taxes.* All tax returns the Recipient is required to file in any jurisdiction have, in fact, been filed, and all taxes, assessments, fees and other governmental charges upon the Recipient or upon any of its property, income or franchises, which are shown to be due and payable in such returns, have been paid, except such taxes, assessments, fees and governmental charges, if any, which are being contested in good faith and by appropriate proceedings which prevent enforcement of the matter under contest and as to which adequate reserves established in accordance with GAAP have been provided. The Recipient knows of no proposed additional tax assessment against it for which adequate provisions in accordance with GAAP have not been made on its accounts. Adequate provisions in accordance with GAAP for taxes on the books of the Recipient have been made for all open years, and for their current fiscal period.

(l) *Other Contracts.* The Recipient is not in default under the terms or any covenant, indenture or contract of or affecting the Recipient’s business or any of its properties, which default, if uncured, would have a material adverse effect on its financial condition, properties, business or operations.

(m) *No Event of Default.* No Event of Default, as defined in Article 9, has occurred or is continuing.

(n) *Compliance with Laws.* The Recipient is in compliance with the requirements of all federal, state and local laws, rules and regulations applicable to or pertaining to the business operations of the Recipient and laws and regulations establishing quality criteria and standards for air, water, land and toxic or hazardous wastes or substances, non-compliance with which could have a material adverse effect on the financial condition, properties, business or operations of the Recipient. The Recipient has not received notice that its operations are not in compliance with any of the requirements of applicable federal, state or local environmental or health and safety statutes and regulations or are the subject of any governmental investigation evaluating whether any remedial action is needed to respond to a release of any toxic or hazardous waste or substance into the environment, which non-compliance or remedial

action could have a material adverse effect on the financial condition, properties, business or operations of the Recipient.

(o) *Effective Date of Representations and Warranties.* The warranties and representations of this Article are made as of the Contract Effective Date and shall be deemed to be renewed and restated by the Recipient at the time each request for disbursement of Award Funds is submitted to IEDA or each time Tax Incentives are claimed by the Recipient.

6.2 Representations of Community.

(a) *Local Approvals Received; Authority and Validity of Obligations.* The Community has secured all necessary local approvals and has full right and authority to enter into this Contract. The person signing this Contract has full authority on behalf of the Community to:

1. Sign this Contract, and
2. Perform each and all of the Community's obligations under this Contract.

The Contract delivered by the Community has been duly authorized, executed and delivered by the Community and constitutes the valid and binding obligations of the Community and is enforceable against it in accordance with its terms. This Contract and related documents do not contravene any provision of law or any judgment, injunction, order or decree binding upon the Community or contravene or constitute a default under any covenant, indenture or contract of or affecting the Community or any of its properties.

(b) *Local Commitment.* The Community represents that there are legally enforceable commitments in place for the Community local commitment identified for the Project in *Exhibit C -Description of the Project and Award Budget.*

(c) *No Material Adverse Change.* Since the Award Date, there has been no material adverse change in the Community's ability to perform its obligations under this Contract.

(d) *Full Disclosure; Community's Financial Assistance Application.* The statements and other information furnished to the IEDA by the Community in the Financial Assistance Application and in connection with the negotiation of this Contract do not contain any untrue statements of a material fact or omit a material fact necessary to make the material statements contained herein or therein not misleading. The IEDA acknowledges that, as to any projections furnished to the IEDA, the Community only represents that the same were prepared on the basis of information and estimates it believed to be reasonable.

(e) *Governmental Authority and Licensing.* The Community has received all licenses, permits, and approvals of all federal, state, local, and foreign governmental authorities, if any, necessary to perform its obligations under this Contract. No investigation or proceeding which, if adversely determined, could reasonably be expected to result in revocation or denial of any material license, permit, or approval is pending or, to the knowledge of the Community, threatened.

(f) *Litigation and Other Controversies.* There is no litigation or governmental proceeding pending, nor to the knowledge of the Community, threatened, against the Community which, if adversely determined would result in any material adverse change in the Community's ability to perform under this Contract, nor is the Community aware of any existing basis for any such litigation or governmental proceeding.

(g) *No Event of Default.* No Event of Default by the Community, as defined in Article 9, has

occurred or is continuing.

(h) *Compliance with Laws.* The Community is in compliance with the requirements of all federal, state and local laws, rules and regulations applicable to or pertaining to the operations of the Community and laws and regulations establishing quality criteria and standards for air, water, land and toxic or hazardous wastes or substances, non-compliance with which could have a material adverse effect on the financial condition, properties, business or operations of the Community in relation to the Community's ability to perform its obligations under this contract. The Community has not received notice that its operations are not in compliance with any of the requirements of applicable federal, state or local environmental or health and safety statutes and regulations or are the subject of any governmental investigation evaluating whether any remedial action is needed to respond to a release of any toxic or hazardous waste or substance into the environment, which non-compliance or remedial action could have a material adverse effect on the financial condition, properties, business or operations of the Community in relation to the Community's ability to perform its obligations under this contract.

(i) *Effective Date of Representations and Warranties.* The warranties and representations of this Article are made as of the Contract Effective Date.

ARTICLE 7: COVENANTS OF THE RECIPIENT

For the duration of this Contract, the Recipient covenants to IEDA as follows:

7.1 Project Performance Obligations.

(a) *Use Award Funds only for Project.* The Recipient shall use the Award Funds only for the Project and for the activities described in Exhibit C -Description of the Project and Award Budget and this Contract. Use of the Award Funds shall conform to the Budget for the Project as detailed in Exhibit C - Description of the Project and Award Budget. The Recipient represents that there are legally enforceable commitments in place from the funding sources identified for the Project in Exhibit C -Description of the Project and Award Budget.

(b) *Meet and Maintain Eligibility Requirements.* Recipient shall continue to meet and maintain all statutory eligibility requirements for the funding sources providing assistance under this Contract.

(c) *Project Time Period.* This Contract covers the five (5) year Project time period from the Award Date through the Maintenance Period Completion Date. Recipient shall complete and maintain the Project within the Project time period shown below:

		COMPLIANCE MEASUREMENT POINT		COMPLIANCE MEASUREMENT POINT	
Award Date	Project Completion Period	Project Completion Date	Maintenance Period	Maintenance Period Completion Date	Contract Closeout

<p>“Award Date” is the date first stated in this Contract and is the date the IEDA Board approved the awarding of financial assistance to the Recipient for the Project.</p>	<p>“Project Completion Period” is the period of time between the Award Date and the Project Completion Date.</p>	<p>“Project Completion Date” is the date defined in Exhibit D by which the Recipient must complete the Project.</p> <p>At this point, IEDA will review the Project to verify compliance with Contract terms and obligations.</p>	<p>“Maintenance Period” is the period of time between the Project Completion Date and the Maintenance Period Completion Date. The Project must be maintained in Iowa for this period of time.</p>	<p>“Maintenance Period Completion Date” is the date defined in Exhibit D on which the Maintenance Period ends.</p> <p>At this point, IEDA will review the Project to verify that it was maintained in compliance with Contract terms and obligations.</p>	<p>IEDA will conduct Contract Closeout procedures after all events described in Article 1 have been met.</p> <p>“Contract End Date” is the date stated in IEDA’s written Notice of Final Contract Closeout that is issued pursuant to Article 1.</p>
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(d) *Complete Project by Project Completion Date.* By the Project Completion Date, Recipient shall complete the Project, make the total investment it pledged for the Project and in accordance with the Award Budget as detailed in Exhibit C - Description of the Project and Award Budget, and comply with all other performance requirements described in this Contract.

(e) *Total Project Costs.* By the Project Completion Date, Recipient shall have completed the Project with a Total Project Cost as detailed in Exhibit C - Description of the Project and Award Budget.

(f) *Maintain Project through Maintenance Period Completion Date.* Recipient shall maintain the Project through the Maintenance Period Completion Date.

(g) *Maintain Project in Iowa During Contract Period.* The Recipient shall at all times preserve and maintain its existence as a corporation in good standing and maintain the Project in Iowa. The Recipient will preserve and keep in force and effect all licenses, permits, franchises, approvals, patents, trademarks, trade names, trade styles, copyrights and other proprietary rights necessary to the proper conduct of its respective business.

7.2 Taxes and Insurance.

(a) *Pay Taxes and Assessments.* The Recipient shall duly pay and discharge all taxes, rates, assessments, fees, and governmental charges upon or against its properties, in each case before the same become delinquent and before penalties accrue thereon, unless and to the extent that the same are being contested in good faith and by appropriate proceedings and adequate reserves are provided therefore.

(b) *Maintain Insurance.* The Recipient shall insure and keep insured in good and responsible insurance companies all insurable property owned by it which is of a character usually insured by Persons similarly situated and operating like properties against loss or damage from such hazards or risks as are insured by Persons similarly situated and operating like properties, and the Recipient shall insure such other hazards and risks, including employers' and public liability risks in good and responsible insurance companies as and to the extent usually insured by Persons similarly situated and conducting similar business. The Recipient will, upon request of IEDA, furnish a certificate setting forth in summary form the nature and extent of the insurance maintained pursuant to this Article.

7.3 Preserve Project and Protect Security.

(a) *Maintenance of Properties.* The Recipient shall maintain, preserve and keep its properties in good repair, working order and condition, ordinary wear and tear excepted, and will from time to time make all needful and proper repairs, renewals, replacements, additions and betterments thereto so that at all times

the efficiency thereof shall be fully preserved and maintained in accordance with prudent business practices.

(b) *Restrictions on Security.* If Security is required pursuant to Article 5 of this Contract, the Recipient shall not, without prior written disclosure to IEDA and prior written consent of IEDA, which shall not be unreasonably withheld, directly or indirectly:

1. Sell, transfer, convey, assign, encumber or otherwise dispose of any of the Secured Property for this Project.
2. Place or permit any restrictions, covenants or any similar limitations on the Secured Property or in the Security Documents for the Project.
3. Remove from the Project site or the State all or any part of the Secured Property.
4. Create, incur or permit to exist any lien of any kind on the Secured Property.

7.4 Recipient Changes.

(a) *No Changes in Recipient Operations.* The Recipient shall not materially change the Project or the nature of the business and activities being conducted or proposed to be conducted by Recipient, as described in the Recipient's approved Financial Assistance Application, Exhibit A of this Contract, unless approved in writing by IEDA prior to the change.

(b) *Changes in Recipient Ownership, Structure and Control.* The Recipient shall not materially change the ownership, structure, or control of the business if it would adversely affect the Project. This includes, but is not limited to, entering into any merger or consolidation with any person, firm or corporation or permitting substantial distribution, liquidation or other disposal of assets directly associated with the Project. Recipient shall provide IEDA with advance notice of any proposed changes in ownership, structure or control. The materiality of the change and whether the change adversely affects the Project shall be as reasonably determined by IEDA.

7.5 Required Reports.

(a) *Review of Reports.* The Recipient shall prepare, sign and submit required reports, in the form and content required by IEDA, as specified in this Contract.

(b) *Reports.* The Recipient shall prepare, sign and submit the following reports to the IEDA throughout the Contract period:

<u>Report</u>	<u>Due Date</u>
<u>Annual Project Status Report</u> The Annual Project Status Report will collect information from the Recipient about the status of the Project.	July 31 st for the period ending June 30th
<u>End of Project Report</u> The End of Project Report will collect information from the Recipient about the completed Project.	Within 30 days of Project Completion Date

<p><u>End of Maintenance Period Report</u> The End of Maintenance Period Report will collect information from the Recipient's continued maintenance of the Project.</p>	<p>Within 30 days of the end of the Maintenance Period Completion Date</p>
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(c) *Additional Reports, Financial Statements as Requested by IEDA.* The IEDA reserves the right to require more frequent submission of reports if, in the opinion of the IEDA, more frequent submissions would provide needed information about Recipient's Project performance, or if necessary in order to meet requests from the Iowa General Assembly, the Department of Management or the Governor's office. At the request of IEDA, Recipient shall submit its annual financial statements completed by an independent CPA, or other financial statements including, but not limited to, income, expense, and retained earnings statements.

7.6 Compliance with Laws.

(a) *State, local and federal laws.* Recipient shall comply in all material respects with the requirements of all applicable federal, state and local laws, rules, regulations and orders.

(b) *Environmental laws.* Recipient shall comply in all material respects with all applicable environmental, hazardous waste or substance, toxic substance and underground storage laws and regulations, and the Recipient shall obtain any permits or licenses and shall acquire or construct any buildings, improvements, fixtures, equipment or its property required by reason of any applicable environmental, hazardous waste or substance, toxic substance or underground storage laws or regulations.

(c) *Nondiscrimination laws.* Recipient shall comply in all material respects with all applicable federal, state, and local laws, rules, ordinances, regulations and orders applicable to the prevention of discrimination in employment, including the administrative rules of the Iowa Department of Management and the Iowa Civil Rights Commission which pertain to equal employment opportunity and affirmative action.

(d) *Worker rights and safety.* The Recipient shall comply in all material respects with all applicable federal, state and local laws, rules, ordinances, regulations and orders applicable to worker rights and worker safety.

(e) *Immigration laws.* Recipient shall only employ individuals legally authorized to work in this State. In addition to any and all other applicable penalties provided by current law, all or a portion of the Award is subject to recapture by IEDA if Recipient is found to employ individuals not legally authorized to work in the State of Iowa.

(f) *Compliance with IEDA's Administrative Rules.* Recipient shall comply with IEDA's administrative rules for the programs under which assistance is provided to the Project and rules governing administration of this Contract.

7.7 Inspection and Audit. The Recipient shall permit the IEDA and its duly authorized representatives, at such reasonable times and reasonable intervals as the IEDA may designate, to:

- (a) Conduct site visits and inspect the Project.
- (b) Audit financial records related to the Project.
- (c) Examine and make copies of the books of accounts and other financial records of the Recipient related to the Project.

(d) Discuss the affairs, finances and accounts of the Recipient with, and to be advised as to the same by, its officers, and independent public accountants. By this provision, the Recipient authorizes such accountants to discuss with the IEDA and the IEDA's duly authorized representatives the finances and affairs of the Recipient.

7.8 Maintenance and Retention of Records.

(a) *Maintain Accounting Records.* The Recipient is required to maintain its books, records and all other evidence pertaining to this Contract in accordance with GAAP and such other procedures specified by IEDA.

(b) *Access to Records.* Records to verify compliance with the terms of this Contract shall be available at all times, and made available to IEDA and its designees at places and times designated by IEDA, for the duration of this Contract and any extensions thereof. Recipient shall make its records available to: (i) IEDA; (ii) IEDA's internal or external auditors, agents and designees; (iii) the Auditor of the State of Iowa; (iv) the Attorney General of the State of Iowa; (v) the Iowa Division of Criminal Investigations and any other applicable law enforcement agencies.

(c) *Records Retention Period.* Recipient shall retain the records for a period of three (3) years from the Contract End Date, unless the records are the subject of an audit, investigation, or administrative or legal proceeding. In those instances, the records shall be retained until the audit, investigation or proceeding has been resolved.

7.9 Required Notices from Recipient to IEDA.

(a) *Notice of Major Changes.* Recipient shall provide IEDA with written notice within thirty (30) days of the occurrence of: (a) any event that has a material adverse effect on Recipient's ability to complete the Project in accordance with the terms of this Contract; (b) the termination of the business conducted at the Project; (c) a material modification of the nature of the business conducted at the Project; and (d) the transfer of the Project or any material interest in the Project in connection with financing or refinancing the Project.

(b) *Notice of Proceedings.* Without limiting Section 7.9(a), Recipient shall provide IEDA with written notice within ten (10) days of the occurrence of any claims, lawsuits, bankruptcy proceedings, or other proceedings brought against Recipient that have a material adverse effect on Recipient's ability to complete the Project in accordance with the terms of this Contract.

7.10 Indemnification. The Recipient shall indemnify, defend and hold harmless the IEDA; the State of Iowa; its departments, divisions, agencies, sections, commissions, officers, employees and agents from and against all losses, liabilities, penalties, fines, damages and claims ,including taxes, and all related costs and expenses ,including reasonable attorneys' fees and disbursements and costs of investigation, litigation, settlement, judgments, interest and penalties, arising from or in connection with any of the following:

(a) Any claim, demand, action, citation or legal proceeding arising out of or resulting from the Project;

(b) Any claim, demand, action, citation or legal proceeding arising out of or resulting from a breach by the Recipient of any representation, warranty or covenant made by the Recipient in this Contract;

(c) Any claim, demand, action, citation or legal proceeding arising out of or related to occurrences

that the Recipient is required to insure against as provided for in this Contract; and

(d) Any claim, demand, action, citation or legal proceeding which results from an act or omission of the Recipient or any of its agents in its or their capacity as an employer of a person.

7.11 Repayment of Unallowable Costs. Recipient shall repay any Award received or realized that is determined by IEDA, its auditors, agents or designees, the Auditor of the State of Iowa, or similar authorized governmental entity to be unallowable under the terms of this Contract.

7.12 Reserved.

ARTICLE 8: COVENANTS OF THE COMMUNITY

For the duration of this Contract, the Community covenants to IEDA as follows:

8.1 Local Match. The Community shall provide the local financial assistance for the Project as described in Exhibit C, Project Description and Award Budget.

8.2 Notice to IEDA. In the event the Community becomes aware of any material alteration in the Project, initiation of any investigation or proceeding involving the Project, any change in the Recipient's ownership, structure or operation, or any other similar occurrence, the Community shall promptly provide written notice to IEDA.

ARTICLE 9: DEFAULTS AND REMEDIES

9.1 Default by Recipient. An unremedied Event of Default may result in termination of this Contract and repayment of all or a portion of the Award Funds disbursed to Recipient and the value of the Tax Incentives actually received, plus applicable default interest and costs.

(a) *Events of Default* Any one or more of the following shall constitute an "Event of Default" under this Contract:

1. *Nonpayment.* Failure to make a payment when due of any Loan or other payment required by this Contract whether by lapse of time, acceleration or otherwise; or

2. *Noncompliance with Covenants.* Default in the observance or performance of any covenant set forth in Article 7, for more than twenty (20) business days; or

3. *Noncompliance with Security Documents.* Default in the observance or performance of any term of any Security Document if required in Article 5 beyond any applicable grace period set forth therein; or

4. *Noncompliance with Contract.* Default in the observance or performance of any other provision of this Contract; or

5. *Material Misrepresentation.* Any representation or warranty made by the Recipient in this Contract or in any statement or certificate furnished by it pursuant to this Contract, or made in Exhibit A, Recipient's Financial Assistance Application, or in connection with any of the above, proves untrue in any material respect as of the date of the issuance or making thereof; or

6. *Security Deficiencies.* Any of the Security Documents that represent the Security pledged by

Recipient to secure this Contract fails for any reason to create a valid and perfected priority security interest in favor of the IEDA; or

7. *Judgment.* Any judgment or judgments, writ or writs or warrant or warrants of attachment, or any similar process or processes entered or filed against the Recipient or against any of its property and remains unvacated, unbonded or unstayed for a period of 30 days which materially and adversely affects Recipient's ability to perform its obligations under this Contract; or

8. *Adverse Change in Financial Condition.* Any change occurs in the financial condition of the Recipient which would have a material adverse effect on the ability of the Recipient to perform under this Contract; or

9. *Bankruptcy or Similar Proceedings Initiated.* Either the Recipient shall (i) have entered involuntarily against it an order for relief under the United States Bankruptcy Code, as amended, (ii) not pay, or admit in writing its inability to pay, its debts generally as they become due, (iii) make an assignment for the benefit of creditors, (iv) apply for, seek, consent to, or acquiesce in, the appointment of a receiver, custodian, trustee, examiner, liquidator or similar official for it or any substantial part of its property, (v) commence any proceeding seeking to have entered against it an order for relief under the United States Bankruptcy Code as amended, to adjudicate it insolvent, or seeking dissolution, winding up, liquidation, reorganization, arrangement, adjustment or composition of it or its debts under any law relating to bankruptcy, insolvency or reorganization or relief of debtors or fail to file an answer or other pleading denying the material allegations of any such proceeding filed against it, or (vi) fail to contest in good faith any appointments or proceeding described below; or

10. *Appointment of Officials.* A custodian, receiver, trustee, examiner, liquidator or similar official is appointed for either the Recipient or any substantial part of any of its respective property, or a proceeding described above is commenced against the Recipient and such appointment continues undischarged or such proceeding continues undismissed or unstayed for a period of sixty (60) days; or

11. *Insecurity.* IEDA in good faith deems itself insecure and reasonably believes, after consideration of all the facts and circumstances then existing, that the prospect of payment and satisfaction of the obligations under this Contract, or the performance of or observance of the covenants in this Contract, is or will be materially impaired; or

12. *Failure to Submit Required Reports.* The Recipient fails to submit complete reports by the required due dates as outlined in Article 7; or

13. *Layoffs, Relocation or Closure.* The Recipient or any Affiliate experiences a layoff or relocates or closes any of its facilities within the state of Iowa; or

14. *Hiring workers not authorized to work in state.* The Recipient fails to only employ only individuals legally authorized to work in the state of Iowa. If Recipient is found to knowingly employ individuals not legally authorized to work in the state of Iowa then, in addition to any and all other applicable penalties provided by current law, all or a portion of the assistance received is subject to repayment; or

15. *Failure to Maintain Program Eligibility Requirements.* Recipient fails to maintain a statutory eligibility requirement for a program providing assistance under this Contract.

(b) *Notice of Default and Opportunity to Cure.* If IEDA has reasonable cause to believe that an Event of Default has occurred under this Contract, IEDA shall issue a written Notice of Default to the Recipient setting forth the nature of the alleged default in reasonable specificity and providing therein a reasonable period of time, which shall not be fewer than thirty (30) days from the date of the Notice of Default,

during which the Recipient shall have an opportunity to cure, provided that cure is possible and feasible.

(c) *Remedies Available to IEDA.* When an Event of Default has occurred and is not cured within the required time period, IEDA may, after written notice to Recipient:

1. Terminate this Contract.
2. Suspend or reduce pending and future disbursements.
3. Declare immediately due and payable without further demand, presentment, protest or notice of any kind the principal and any accrued interest on any outstanding Promissory Notes issued pursuant to this Contract, including both principal and interest and all fees, charges and other amounts payable under this Contract.
4. Require repayment of all or a portion of Award Funds disbursed.
5. Revoke or reduce authorized Tax Incentives.
6. Require full repayment of all or a portion of the value of Tax Incentives received.

(d) *Pro Rata Repayment Permitted in Certain Circumstances.* Barring any other Event of Default, IEDA may permit pro rata repayment of the Project Completion Assistance received if the default is due solely to one of the following circumstances:

1. *Failure to Meet Job Obligations by Project Completion Date.* If the Recipient does not meet its Job Obligations as detailed in Exhibit D, Job Obligations, by the Project Completion Date, Recipient shall repay a portion of the Project Completion Assistance received. The amount to be repaid is calculated based on the number of jobs that are at or above the Qualifying Wage Threshold Requirement. Repayment of any amounts due will be at the rate of \$2,000.00 per unfilled job. This per job rate is calculated as follows: \$90,000 Forgivable Loan Award Amount divided by 45 jobs to be created.

For example, if the Recipient is short by 10 jobs the amount to be repaid is \$2,000.00 per job multiplied by 10, for a total due of \$20,000.00. Interest shall apply as described in paragraph 9.1(e).

Upon repayment of the amount due, IEDA will reduce the Recipient's Job Obligations. The reduced Job Obligations must be maintained through the Maintenance Period Completion Date.

2. *Job shortfall at Maintenance Period Completion Date.* If the Recipient does not maintain its adjusted Job Obligations through the Maintenance Period Completion Date, Recipient shall repay an additional portion of the Project Completion Assistance received for the number of jobs it failed to maintain. The amount to be repaid will be calculated as described in subsection 1 above.

3. *Less than Total Project Cost at Project Completion Date.* If the Recipient does not complete the Project with a Total Project Cost as stated in Exhibit C, Description of Project and Award Budget, by the Project Completion Date, Recipient shall repay a portion of the Project Completion Assistance received based on the amount of shortfall in comparison to the required Total Project Cost. For example, if the Recipient's required Total Project Cost is 10% less than pledged, 10% of the Award amount received must be repaid, plus 6% interest calculated from the date of first disbursement of Award Funds.

4. *Repayment Amount If Both Shortfall In Job Obligations and Less Than Total Project Cost.* If the Recipient experiences a shortfall in its Job Obligations and the Total Project Cost is less than required, Recipient shall repay to IEDA the greater of the amount owed for the job shortfall or the amount owed for the investment shortfall.

(e) *Default Interest Rate.* If an Event of Default occurs and remains uncured, a default interest rate of 6% shall apply to repayment of amounts due under this Contract. The default interest rate shall accrue from the first date Award Funds are disbursed or Tax Incentives are received.

(f) *Expenses.* The Recipient agrees to pay to the IEDA all expenses reasonably incurred or paid by IEDA, including reasonable attorneys' fees and court costs, in connection with any Default or Event of Default by the Recipient or in connection with the enforcement of any of the terms of this Contract.

9.2 Default by Community. An unremedied Event of Default may result in termination of this Contract and repayment by Community of all or a portion of the pledged local match, plus applicable default interest and costs.

(a) *Events of Default.* Any one or more of the following shall constitute an "Event of Default by Community" under this Contract:

1. *Noncompliance with Covenants.* Default in the observance or performance of any covenants of the Community set forth in Article 8, for more than five (5) business days; or

2. *Material Misrepresentation.* Any representation or warranty made by the Community in this Contract or in any statement or certificate furnished by it pursuant to this Contract, or made by Community in Exhibit A, Recipient's Financial Assistance Application, or in connection with any of the above, proves untrue in any material respect as of the date of the issuance or making thereof.

(b) *Notice of Default and Opportunity to Cure.* If IEDA has reasonable cause to believe that an Event of Default has occurred under this Contract, IEDA shall issue a written Notice of Default to the Community setting forth the nature of the alleged default in reasonable specificity and providing therein a reasonable period of time, which shall not be fewer than thirty (30) days from the date of the Notice of Default, during which the Community shall have an opportunity to cure, provided that cure is possible and feasible.

(c) *Remedies Available to IEDA.* When an Event of Default by Community has occurred and is not cured within the required time period, IEDA may, after written notice to Community:

1. Suspend or reduce pending and future disbursements to Community.

2. Require payment by Community of the amount of local financial assistance pledged to the Project but not provided.

(d) *Expenses.* The Community agrees to pay to the IEDA all expenses reasonably incurred or paid by IEDA including reasonable attorneys' fees and court costs, in connection with any Default or Event of Default by the Community or in connection with the enforcement of any of the terms of this Contract.

ARTICLE 10: MISCELLANEOUS.

10.1 Choice of Law and Forum; Governing Law.

(a) In the event any proceeding of a quasi-judicial or judicial nature is commenced in connection with this Contract, the proceeding shall be brought in Des Moines, Iowa, in Polk County District Court for the State of Iowa, if such court has jurisdiction. If, such court lacks jurisdiction and jurisdiction lies only in a United States District Court, the matter shall be commenced in the United States District Court for the Southern District of Iowa, Central Division.

(b) This provision shall not be construed as waiving any immunity to suit or liability, in state or federal court, which may be available to the IEDA, the State of Iowa or its members, officers, employees or agents.

(c) This Contract and the rights and duties of the parties hereto shall be governed by, and construed in accordance with, the internal laws of the State of Iowa without regard to principles of conflicts of laws.

10.2 Contract Amendments. Neither this Contract nor any documents incorporated by reference in connection with this Contract, may be changed, waived, discharged or terminated orally, except as provided below:

(a) *Writing required.* The Contract may only be amended if done so in writing and signed by all the parties. Examples of situations requiring an amendment include, but are not limited to, time extensions, budget revisions, and significant alterations of existing activities or beneficiaries.

(b) *IEDA review.* Requests to amend this Contract shall be processed by IEDA in compliance with the IEDA's rules and procedures applicable to contract amendments.

10.3 Notices. Except as otherwise specified herein, all notices hereunder shall be in writing, including, without limitation by fax, and shall be given to the relevant party at its address, e-mail address, or fax number set forth below, or such other address, e-mail address, or fax number as such party may hereafter specify by notice to the other parties provided by United States mail, by fax or by other telecommunication device capable of creating a written record of such notice and its receipt. Notices hereunder shall be addressed:

To the Recipient at:

Xpanxion, LLC
Rob Frew
1601 Golden Aspen Drive, Suite 108
Ames, IA 50010

E-mail: rfrew@xpanxion.com
Telephone: 515.956.7603

To the IEDA at:

Iowa Economic Development Authority
Compliance
200 East Grand Avenue
Des Moines, Iowa 50309
Attention: Business Development - Compliance

E-mail: Compliance@iowa.gov
Telephone: 515.725.3000
Facsimile: 515.725.3010

To the Community at:

City of Ames
Duane Pitcher
515 Clark Avenue

Ames, IA 50010

E-mail: dpitcher@city.ames.ia.us

Telephone: 515.239.5113

Facsimile: 515.239.5320

Each such notice, request or other communication shall be effective (i) if given by facsimile, when such facsimile is transmitted to the facsimile number specified in this Article and a confirmation of such facsimile has been received by the sender, (ii) if given by e-mail, when such e-mail is transmitted to the e-mail address specified in this Article and a confirmation of such e-mail has been received by the sender, (iii) if given by mail, five (5) days after such communication is deposited in the mail, certified or registered with return receipt requested, addressed as aforesaid or (iv) if given by any other means, when delivered at the addresses specified in this Article.

10.4 Headings. Article headings used in this Contract are for convenience of reference only and are not a part of this Contract for any other purpose.

10.5 Final Authority. The IEDA shall have the authority to reasonably assess whether the Recipient has complied with the terms of this Contract. Any IEDA determinations with respect to compliance with the provisions of this Contract shall be deemed final determinations pursuant to Iowa Code Chapter 17A, Iowa Administrative Procedure Act.

10.6 Waivers. No waiver by IEDA of any default hereunder shall operate as a waiver of any other default or of the same default on any future occasion. No delay on the part of the IEDA in exercising any right or remedy hereunder shall operate as a waiver thereof. No single or partial exercise of any right or remedy by IEDA shall preclude future exercise thereof or the exercise of any other right or remedy.

10.7 Counterparts. This Contract may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute but one and the same instrument.

10.8 Survival of Representations. All representations and warranties made herein or in any other Contract document or in certificates given pursuant hereto or thereto shall survive the execution and delivery of this Contract and the other Contract documents and shall continue in full force and effect with respect to the date as of which they were made until all of Recipient's obligations or liabilities under this Contract have been satisfied.

10.9 Severability of Provisions. Any provision of this Contract which is unenforceable in any jurisdiction shall, as to such jurisdiction, be ineffective to the extent of such unenforceability without invalidating the remaining provisions hereof or affecting the validity or enforceability of such provision in any other jurisdiction. All rights, remedies and powers provided in this Contract or any other Contract document may be exercised only to the extent that the exercise thereof does not violate any applicable mandatory provisions of law, and all the provisions of this Contract and any other Contract document are intended to be subject to all applicable mandatory provisions of law which may be controlling and to be limited to the extent necessary so that they will not render this Contract or any other Contract document invalid or unenforceable.

10.10 Successors and Assigns. This Contract shall be binding upon the Recipient and IEDA and their respective successors and assigns, and shall inure to the benefit of the IEDA and Recipient and their successors and assigns.

10.11 Nonassignment. This Contract shall not be assigned, in whole or in part, by Recipient unless approved in writing by IEDA.

10.12 Termination. This Contract can be terminated under any of the following circumstances:

(a) *Agreement of the Parties.* Upon written agreement of the Recipient, the Community and IEDA.

(b) *Unremedied Event of Default.* As a result of the Recipient's or Community's unremedied Event of Default pursuant to Article 9.

(c) *Termination or reduction in funding to IEDA.* As a result of the termination or reduction of funding to IEDA as provided in Article 4.4(c).

10.13 Documents Incorporated by Reference. The following documents are incorporated by reference and considered an integral part of this Contract:

1. Exhibit A - Recipient's Financial Assistance Application (on file with IEDA), Application # 16-HQJDF-007
2. Exhibit B-2 High-Quality Jobs Program – Project Completion Assistance Component Special Conditions
3. Exhibit C - Description of the Project and Award Budget
4. Exhibit D - Job Obligations
5. Exhibit E- Dedicated Certificate of Deposit
6. Exhibit F - Promissory Note(s)

10.14 Order of Priority. In the case of any inconsistency or conflict between the specific provisions of this document and the exhibits, the following order of priority shall control:

1. Article 1 - 10 of this Contract.
2. Exhibit A - Recipient's Financial Assistance Application (on file with IEDA), Application # 16-HQJDF-007
3. Exhibit B-2 High-Quality Jobs Program – Project Completion Assistance Component Special Conditions
4. Exhibit C - Description of the Project and Award Budget
5. Exhibit D - Job Obligations
6. Exhibit E - Dedicated Certificate of Deposit
7. Exhibit F - Promissory Note(s)

10.15 Integration. This Contract contains the entire understanding between the Parties relating to the Project and any representations that may have been made before or after signing this Contract, which are not contained herein, are nonbinding, void and of no effect. None of the Parties has relied on any such prior representation in entering into this Contract.

-This space intentionally left blank, signature page follows -

IN WITNESS WHEREOF in consideration of the mutual covenants set forth above and for other good and valuable consideration, the receipt, adequacy and legal sufficiency of which are hereby acknowledged, the parties have entered into this Contract and have caused their duly authorized representatives to execute this Contract, effective as of the latest date stated below (Contract Effective Date).

FOR IEDA:

BY:

Deborah V. Durham, Director

Date

FOR RECIPIENT:

BY:

Signature

Typed Name and Title

Date

FOR THE COMMUNITY:

BY:

Signature

Typed Name and Title

Date

LIST OF EXHIBITS

- Exhibit A - Recipient's Financial Assistance Application (on file with IEDA), Application # 16-HQJDF-007
- Exhibit B-2 High Quality Jobs Program – Project Completion Assistance Component Special Conditions
- Exhibit C - Description of the Project and Award Budget
- Exhibit D - Job Obligations
- Exhibit E - Dedicated Certificate of Deposit
- Exhibit F - Promissory Note(s)

High Quality Jobs Program – Project Completion Assistance Component

Special Conditions to Contract # 16-DF-010

The following additional terms shall apply to the Contract:

SECTION 1: ADDITIONAL DEFINITIONS.

The following additional terms are defined in this Contract as follows:

“Economically Distressed Area” means a county that ranks among the bottom 25 of all Iowa counties, as measured by either the average monthly unemployment level for the most recent 12-month period or the average annualized unemployment level for the most recent five-year period.

SECTION 2 : TERMS OF THE AWARD.

2.1 Description of Award. \$90,000 of the Award shall be from the High Quality Jobs Program - Project Completion Assistance Component.

2.2 Form of Assistance. The Award, or portion thereof, made through the High Quality Jobs Program - Project Completion Assistance Component shall be in the following form(s):

(a) *Loan.* Reserved.

(b) *Forgivable Loan.* The Forgivable Loan shall be awarded to Recipient on the following terms and conditions:

1. Amount: \$ 90,000.

2. Interest Rate: 0 %; Interest accrues from the date of first disbursement of funds.

3. Term: 60 months.

4. *Promissory Note.* The obligation to repay the Forgivable Loan shall be evidenced by a Promissory Note executed by the Recipient.

5. *Terms of Forgiveness.* This Forgivable Loan will be forgiven if the Recipient:

(i) Completes the Project Performance Obligations in Article 7 of the Contract by the Project Completion Date, and

(ii) Maintains the Project Performance Obligations in Article 7 through the Maintenance Period Completion Date, and

(iii) Satisfies all other terms and of this Contract, and

(iv) Is not in default under this Contract.

6. *Prepayment.* The outstanding principal and accrued interest of this Forgivable Loan, or any part thereof that is not forgiven, may be prepaid in part or in full at any time without penalty.

7. *Acceleration upon Default.* If there is a failure to pay any installment of principal and interest when due, or only a portion is paid, or in the event of any other Event of Default under this Contract, the IEDA may declare the entire unpaid principal and all accrued interest immediately due and payable.

(c) *Reserved.*

2.3 Additional Special Terms and Conditions. The Recipient shall comply with the additional terms and conditions as a requirement of the Award, or portion thereof, described in this Exhibit:

- The Forgivable Loan will be disbursed after the Maintenance Period Completion Date.

SECTION 3: ADDITIONAL COVENANTS

In addition to the Covenants described in Article 7 of the Contract, the Recipient shall be bound to the additional covenants:

3.1 Job Obligations. By the Project Completion Date, the Recipient shall create and/or retain the number of FTE Created Jobs and Retained Jobs included in, for Retained Jobs, and above, for Created Jobs, the Recipient's Base Employment Level, as detailed in Exhibit D – Job Obligations, and maintain the jobs through the Maintenance Period.

3.2 Wage Obligations. The Qualifying Wage Threshold rates specific to this Contract that must be met are stated in Exhibit D, Job Obligations. By the Project Completion Date and through the Maintenance Completion Period Date, the Recipient shall:

(a) For projects in *Economically Distressed Areas* the Qualifying Wage Threshold requirement applicable to all phases of the project is 100% of the Qualifying Wage Threshold.

(b) For all other projects:

1. For the *Created Jobs*, pay 100% of the Qualifying Wage Threshold at the start of the Project Completion Period, at least 120% of the Qualifying Wage Threshold by the Project Completion Date, and at least 120% of the Qualifying Wage Threshold until the Maintenance Period Completion Date.

2. For the *Retained Jobs*, pay at least 120% of the Qualifying Wage Threshold throughout both the Project Completion Period and the Maintenance Period.

3.3 Provide Sufficient Benefits. The Recipient shall provide Sufficient Benefits to all employees included as part of the job and wage obligations.

- End of Exhibit B – 3 -

**DESCRIPTION OF THE PROJECT AND AWARD BUDGET
(EXHIBIT C)**

Name of Recipient: Xpanxion, LLC

Name of Community: City of Ames

Contract Number: 16-DF-010

PROJECT DESCRIPTION

Xpanxion, LLC will expand its office space to accommodate anticipated growth.

AWARD BUDGET

SOURCE OF FUNDS	AMOUNT	FORM	USE OF FUNDS	COST
IEDA Programs			*Land Acquisition	
HQJP Financial Assistance	\$90,000	Forgivable Loan	*Site Preparation	
Business	\$ 677,600	Internal financing	*Building Acquisition	\$200,000
City of Ames	\$18,000	Forgivable loan	*Building Construction	\$345,600
			*Building Remodeling	
			Capital Lease Payments	
			*Mfg Machinery and Equipment	\$40,000
			Other Machinery and Equipment	\$30,000
			Racking, Shelving, etc.	\$120,000
			*Computer Hardware	
			Computer Software	
			*Furniture and Fixtures	
			Working Capital	
			Research and Development	\$50,000
			Job Training	
			*included as capital investment if awarded tax credit program	
Total	\$785,600		Total	\$785,600

OTHER FUNDING

SOURCE OF FUNDS	TOTAL AMOUNT	FORM/TERM	USED AS MATCH
TIF Rebate			
Tax Abatement			
260E Job Training			
In-Kind Contributions			
RISE			
RED			
Other			

EXHIBIT D – JOB OBLIGATIONS

Recipient: Xpanxion, LLC
Community: City of Ames
Contract Number: 16-DF-010

This Project has been awarded Project Completion Assistance and Tax Incentives from the High Quality Jobs Program (HQJP) – Financial Assistance Component. The chart below outline the contractual job obligations related to this Project.

Data in the “Employment Base” column has been verified by IEDA and reflects the employment characteristics of the facility receiving funding before this award was made. Jobs to be retained as a part of this Project must be included in these calculations.

Data in the “Jobs To Be Created” column outlines the new full-time jobs (including their wage characteristics) that must be added to the employment base and, if applicable, statewide employment base as a result of this award.

At the Project Completion Date and through the Maintenance Period Completion Date, the Recipient must achieve, at a minimum, the numbers found in the “Total Job Obligations” column.

HQJP JOB OBLIGATIONS	Employment Base	Jobs To Be Created	Total Job Obligations
Project Completion Date: August 31, 2018 Maintenance Period Completion Date: August 31, 2020			
Total employment at project location	36	45	81
Average wage of total employment at project location	\$28.13		
Qualifying Laborshed Wage threshold requirement (per hr)	\$23.21 (120%)		
Number of jobs at or above qualifying wage	20	45	65
Average Wage of jobs at or above qualifying wage	\$34.22		

Notes re: Job Obligations

1. When determining the number of jobs at or above the qualifying wage, wages will include only the regular hourly rate that serves as the base level of compensation. The wage will not include nonregular forms of compensation such as bonuses, unusual overtime pay, commissions, stock options, pension, retirement or death benefits, unemployment benefits or other insurance, or other fringe benefits.
2. Employment Base includes 0 “Retained Jobs”.

If the Recipient uses or proposes to use a non-standard work week (8 hours a day, 5 days a week, 52 weeks a year including holidays, vacation and other paid leave), check the box below and describe that alternative schedule. The alternative schedule must meet the requirements of 261 IAC 173.2.) If the box is not checked or if no alternative schedule is provided, IEDA will consider “*Full-time Equivalent (FTE) Job*” to mean the employment of one person for 8 hours per day for a 5-day, 40-hour workweek for 52 weeks per year, including paid holidays, vacations and other paid leave.

The Recipient shall use an alternative work week for purposes of its employees described in the Contract. The alternative work week is as follows: [description].

Sufficient Benefits Deductible Requirements

Recipient shall provide Sufficient Benefits with a maximum deductible of \$1,750 for single coverage or \$3,500 for family coverage.

EXHIBIT F – PROMISSORY NOTE
FORGIVABLE LOAN
Recipient: Xpanxion, LLC
Community: City of Ames
Contract Number: 16-DF-010

PROMISSORY NOTE

FOR VALUE RECEIVED, the undersigned promises, in the event this Forgivable Loan is not forgiven, to pay to the order of the **IOWA ECONOMIC DEVELOPMENT AUTHORITY**, at its office at 200 East Grand Avenue, Des Moines, Iowa 50309, the sum of **NINETY THOUSAND DOLLARS (\$90,000)** with interest at a rate of **0%** unless an Event of Default occurs, in which case interest shall be at the default rate set forth in Contract number 16-DF-010 (“Contract”). The terms and conditions by which forgiveness of this Loan may occur are as specified in the Contract.

Interest shall first be deducted from the payment and any balance shall be applied on principal. Upon default in payment of any interest, or any installment of principal, the whole amount then unpaid shall become immediately due and payable at the option of the holder.

The undersigned, in case of suit on this note, agrees to pay on demand all costs of collection, maintenance of collateral, legal expenses, and attorneys' fees incurred or paid by the holder in collecting and/or enforcing this Promissory Note on default.

This Promissory Note shall be secured by the Security specified in the Contract.

Makers, endorsers and sureties waive demand of payment, notice of non-payment, protest and notice. Sureties, endorsers and guarantors agree to all of the provisions of this Promissory Note, and consent that the time or times of payment of all or any part hereof may be extended after maturity, from time to time, without notice.

XPANXION, LLC

By: _____

Print or Type Name, Title

Address: 1601 Golden Aspen Drive, STE 108
AMES, IA 50010

Date: _____



COUNCIL ACTION FORM

SUBJECT: AMES INTERMODAL FACILITY COMMERCIAL TENANT LEASE WITH EXECUTIVE EXPRESS

BACKGROUND:

Under the approved Intermodal Facility operating agreement between the City of Ames and Iowa State University, CyRide staff is charged with negotiating leases for the terminal area of the building. Last year, staff prepared a one-year agreement for Executive Express that expires June 30, 2016. Their service began operating from the Intermodal Facility on July 1, 2012. Over the last several months, staff has worked with the carrier to negotiate a renewal of this agreement that will provide office/waiting room/van storage space for Executive Express van service to the Des Moines International Airport.

In negotiating a new lease agreement, the following issues were modified in the new lease agreement.

- Contract term to a three-year agreement – lease starting on July 1, **2016** and expires June 30, **2019**

The agreement has been reviewed and approved by:

- City of Ames Legal Counsel and Risk Manager
- ISU's Project Manager for the Intermodal Facility as well as its legal and risk management personnel
- Executive Express' Legal Counsel and owner

The Transit Board of Trustees approved the Executive Express three-year lease at their April 29, 2016 meeting.

ALTERNATIVE:

1. Approve the Ames Intermodal Facility Commercial Tenant Lease with Executive Express for a three-year period.
2. Direct staff to renegotiate a lease with Executive Express, with City Council direction on items to be renegotiated.
3. Do not approve a lease with Executive Express for space within the Ames Intermodal Facility.

MANAGER'S RECOMMENDED ACTION:

One of the two main purposes of the Ames Intermodal Facility is to coordinate transportation services within a single location. This agreement allows for this coordination to continue based on a negotiated lease rate. With Executive Express, Jefferson Lines and Burlington Trailways all housed at this facility, Ames residents and visitors can easily access transportation to locations outside of the community.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. #1, thereby entering into a one-year agreement with Executive Express for space within the Ames Intermodal Facility.

COUNCIL ACTION FORM

SUBJECT: AMES INTERMODAL FACILITY COMMERCIAL TENANT LEASE WITH JEFFERSON LINES

BACKGROUND:

Under the approved Intermodal Facility operating agreement between the City of Ames and Iowa State University, CyRide staff is charged with negotiating leases for the terminal area of the building. In 2013, staff prepared a three-year agreement for Jefferson Lines and Burlington Trailways that expires June 30, 2016. Their service began operating from the Intermodal Facility on July 1, 2012. Over the last six months, staff has worked with Jefferson Lines to negotiate a new three-year lease agreement that will provide shared office/waiting room space for Jefferson Lines and Burlington Trailways.

In negotiating a new lease agreement, the following issues were modified in the new lease agreement.

- Contract term - Lease starts on July 1, **2016** and expires June 30, **2019**.

The agreement has been reviewed and approved by:

- City of Ames Legal Counsel and Risk Manager
- ISU's Project Manager for the Intermodal Facility as well as its legal and risk management personnel

The Transit Board of Trustees approved the Jefferson three-year lease at their April 29, 2016 meeting.

ALTERNATIVE:

1. Approve the Ames Intermodal Facility Commercial Tenant Lease with Jefferson for a three-year period.
2. Direct staff to renegotiate a lease with Jefferson, with City Council direction on items to be renegotiated.
3. Do not approve a lease with Jefferson for space within the Ames Intermodal Facility.

MANAGER'S RECOMMENDED ACTION:

One of the two main purposes of the Ames Intermodal Facility is to coordinate transportation services within a single location. This agreement allows for this coordination to continue based on a negotiated lease rate. With Executive Express, Jefferson Lines and Burlington Trailways all housed at this facility, Ames residents and visitors can easily access transportation to locations outside of the community.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. #1, thereby entering into a three-year agreement with Jefferson for space within the Ames Intermodal Facility.

COUNCIL ACTION FORM

SUBJECT: JOINT USE PARKING PLAN FOR 1320 DICKINSON AVENUE

BACKGROUND:

Perfect Games, Inc owns the property at 1320 Dickinson Avenue and is planning to add a miniature golf course to the existing Perfect Games Family Entertainment Center property. This property is south of Mortensen Road between South Dakota Avenue and Dickinson Avenue (Attachment A, Location Map). This 31,500 square-foot center offers bowling, laser tag, video games, dining, group celebration space and a bar, all under one roof. The new golf course is proposed on the landscaped area of the property south of the existing detention pond between the pond and the Highway 30 ramp (Attachment B, Draft Minor Site Development Plan).

The City Council has established this area as the Southwest Gateway Overlay Zoning District, in order to enhance and define it as a community entry. To reduce parking and increase landscaping in the area, the Zoning Ordinance allows "Collective Parking," which reduces minimum required parking by 15% while requiring 25% more landscape area. This provision requires two or more projects to be planned together. **In 2008, when the Perfect Games facility was developed, Council approved a Joint Use Parking agreement for the site which allowed for a total of 211 parking spaces to be provided under the collective parking allowances by counting the 190 on site spaces and the 21 parking spaces located to the west on the Pet Hospital property.**

In the current request, the addition of a miniature golf course would require that additional parking is provided to accommodate the new use. The current zoning ordinance does not provide a designated parking ratio for miniature golf courses, as with many uses, but it does allow for a parking ratio to be assigned based on a similar use. There are not a lot of comparable parking rates exclusive to miniature golf, the range appears to be between 1 and 3 spaces per hole. Staff believes using an estimate of 2 parking spaces per hole for peak use is reasonable. This would mean the site would need to add 36 additional parking spaces, or approximately a 15% increase in parking above current conditions.

The applicant is requesting approval of a joint use parking plan for the existing onsite parking lot to allow for no net increase in the required number of parking. This allows them to take taking advantage of a seasonal demand with a joint use parking plan to accommodate for the new golf use with the existing parking lot on site during times of reduced capacity.

When a site cannot meet the parking required by the Zoning Ordinance, the option for joint use parking is permitted with Council approval if it can be shown that peak demand

of other facilities would allow for both uses to be accommodated during their times of peak parking demand. In this case, there is not another site or parking area being requested for joint use, but the joint use of parking spaces within the same facility due to a seasonal peak demand difference in parking needs for the multiple uses on the property.

The applicant has provided all of the required information, including a signed agreement “Joint Use Parking Plan” for Perfect Games and a letter outlining the proposed parking demand for the property (Attachment C, Joint Use Parking Plan and Attachment D, Applicant Letter) to accommodate the new miniature golf use without an increase in provided onsite parking spaces. The property owner believes that at peak demand with bowling leagues (in the winter) there is generally at least 24 spaces available for parking compared to zoning standards due to smaller team sizes. The applicant also states that even more spaces are available in the summer when there are fewer leagues operating. The applicant believes they generally have around 40 spaces that are underutilized with their current operations and therefore believe that due to seasonality of recreational activities the joint use parking can be approved.

When acting upon an application for approval of a Joint Use Parking Plan, the City Council may approve the Plan if it finds that the criteria described in Section 29.406(17)(b) of the Zoning Ordinance are met by the application. Those criteria, along with the applicant’s and staff’s responses, are included in the attached “Staff Analysis” section of this report.

This request is unique in that it is based upon seasonality of individual uses, rather than peak demand by any one use. All commercial uses have seasonality. Peak parking demand for general commercial uses occurs during the holiday shopping season and is much lower during other times of the year. Seasonality is likely even more pronounced in Ames due to population swings from students attending ISU. The applicant believes that because the miniature golf facility will not operate at all in the winter months that its unique situation justifies accounting for seasonality of demand on the site.

ALTERNATIVES:

1. The City Council can approve the Joint Use Parking Plan for 1320 Dickinson Avenue as described in the attached “Joint Use Parking Plan” for Perfect Games.
2. The City Council can approve the Joint Use Parking Plan for 1320 Dickinson Avenue for Perfect Games with modifications.
3. The City Council can deny the Joint Use Parking Plan for 1320 Dickinson Avenue.
4. The City Council can refer this request to staff for further information.

MANAGER’S RECOMMENDED ACTION:

In enhancing the Southwest Gateway, the City seeks to avoid large areas of paving and soften the appearance of parking with additional green space. The development has previously been granted reduced parking to meet this goal. Joint Use Parking, using more fully available existing parking to meet the peak parking demand, seems consistent with this intent of the Southwest Gateway Overlay.

While seasonal joint use is not the typical form of joint use parking agreements, the ordinance does seem to allow for such use of parking spaces, especially for a business of this nature where multiple uses and parking ratios are required for one business, not typical of a standalone single commercial entity. It does seem that even when accounting for seasonality that the peak demand periods are likely overlapping in the fall between September and October when students have returned to Ames and weather is still conducive to outdoor activities.

Staff concludes that the parking projection for this joint use is realistic in this case and believes that the parking demand of the proposed uses on the property will be sufficiently distinct and accommodated with the parking already existing on the property for most times of the year. **A key component of accepting this joint parking plan is that City Council can choose to cancel the agreement upon notification to the property owner if the City Council determines there is insufficient parking to accommodate the mix of uses on the site.** The Joint Use Parking Plan will allow more efficient use of the land, reduce parking pavement and enhance the community's entryway. **Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby approving the Joint Use Parking Plan for 1320 Dickinson Avenue as described in the attached "Joint Use Parking Plan" for Perfect Games.**

STAFF ANALYSIS

Approval of a Joint Use Parking Plan. When acting upon an application for approval of a Joint Use Parking Plan, the City Council may approve the Plan if it finds that the criteria described in Section 29.406(17)(b) of the Zoning Ordinance are met by the application. These criteria, along with a summary of the applicant's comments and staff's responses, are provided below.

1. The analysis presents a realistic projection of parking demands likely to be generated.

Applicant's Response: The goal of the miniature golf course is to add another option for those already planning to visit Perfect Games during the summer. The miniature golf course will be open during the summer and generally business is down 35-40% in the summer overall so less parking is needed and used during the summer for the uses already accounted for within the existing building.

Parking was previously based on 5 parking spaces per bowling lane when teams generally consisted of 5 people. Currently only 3 and 4 person teams are typically used by Perfect Games leagues, with only one of the smallest leagues using 5 person teams. This creates 24 spaces of open parking on most nights in the winter and more in the summer when summer leagues are cut by 65%.

The applicant has noted that the 21 parking spaces located in the remote location of the Pet Hospital and the east area of the existing onsite parking lot are rarely full and generally only used on the busiest days during the winter months when use of the facility is at its highest. This east area of the parking lot would be the location of parking abutting the proposed location of miniature golf course. Therefore, the applicant feels the addition of the golf course for the summer months will not create a need for additional parking.

Staff's Analysis: Table 29.406(2) of the Zoning Ordinance requires a bowling alley to provide 5 parking spaces per lane. It also requires parking to be calculated separately for other uses on that same site. This assumes that different people come to the site for the different uses. In the case of this type of entertainment facility in one building it seems likely that some of the groups that arrive in one vehicle will have different interests and use different parts of the facility. It seems reasonable that the minimum parking required by the ordinance will only be needed at the peak use times and seasons.

Under the previously approved site plan (June 2009), with the allowed 15% reduction in parking under the Southwest Gateway Overlay Zone, the required parking for the site for Perfect Games was approved at 207 parking stalls. This was met by providing 190 on site spaces and 21 remote spaces at the Pet Hospital to the west providing a total of 211 parking spaces for the facility.

Perfect Games has 24 bowling lanes requiring by current ordinance 120 parking spaces. The restaurant and other entertainment uses then account for the

remaining 87 parking spaces provided. If it is accepted that the bowling use should generate a need for only a maximum of 4 spaces per lane (4 person teams) from the approved 5 spaces, it is anticipated that 24 parking stalls would be available for use by the miniature golf course. Also, the property has a current agreement for joint parking with the Pet Hospital to the west. It has been noted by the applicant that 21 parking spaces in the abutting lot are rarely used and could be counted toward the parking needs of the golf use.

- 2. Peak demand is sufficiently distinct so that the City Council is able to clearly identify a number of spaces for which there will rarely be overlap of parking demand.**

Applicant's Response: The applicant notes the facilities is at its busiest time during the winter when indoor activities are desired by residents. The miniature golf is intended to boost use of the property in the summer when typical business is at its lowest capacity.

Staff's Analysis: Based on the information provided by the applicant, when business is generally down 35-40% for the summer months due to the indoor nature of the existing business, and the bowling function is down by 65% in the summer when bowling leagues are finished for the season, there is reason to believe parking would be sufficiently provided in the summer for the new miniature golf use. This would allow for parking spaces typically vacant in the summer to be used.

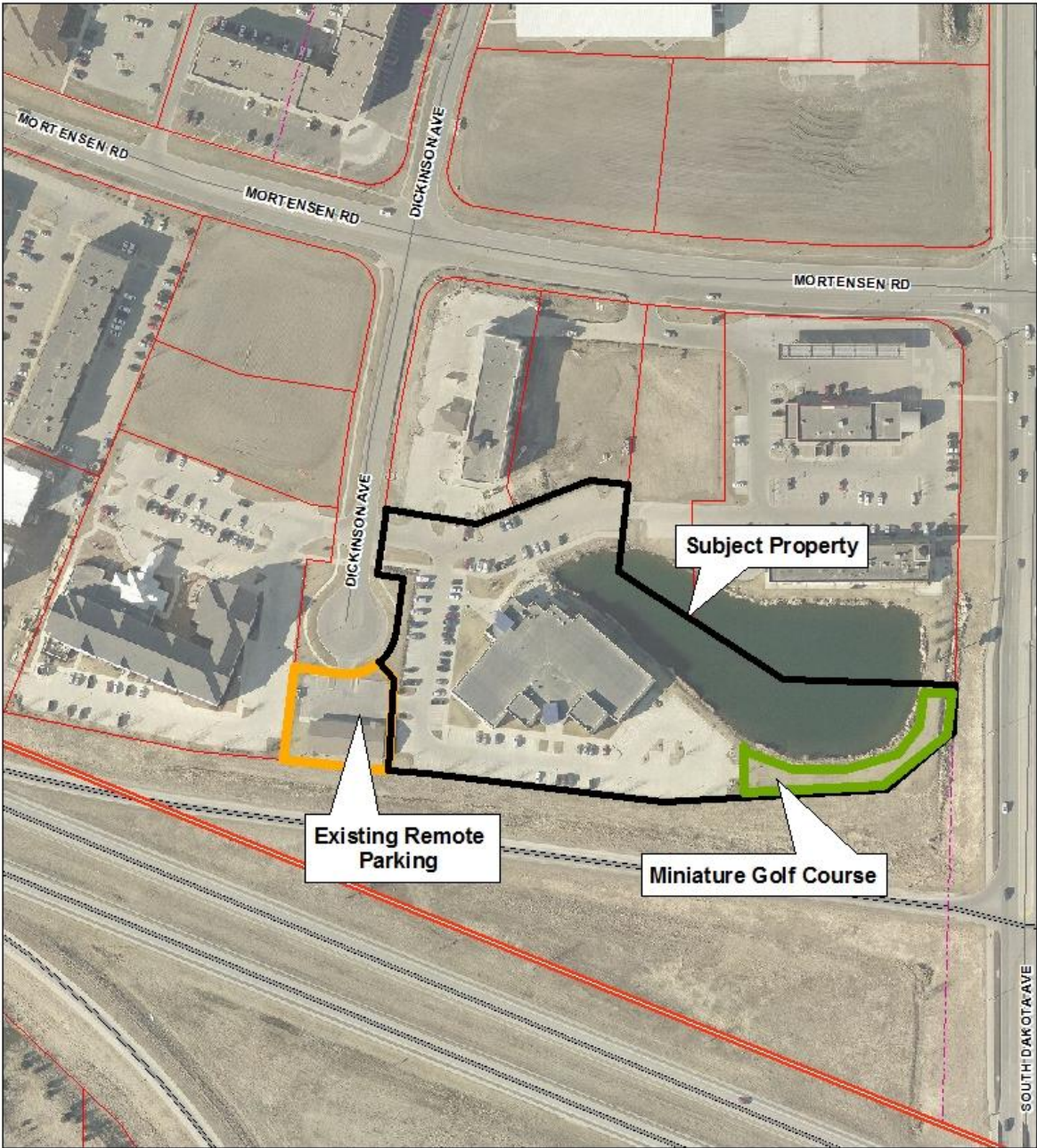
- 3. Rights to the use of spaces are clearly identified so as to facilitate enforcement.**

Applicant's Response: The use of all parking spaces will be permitted by all uses on the site due to the uses being under the same control of owner, Perfect Games.

Staff's Analysis: This is a difficult criterion to address in this case because this is not a typical agreement for joint parking use where multiple businesses have different peak demand times. In this case the joint use of parking is for uses of the same business on site due to differing seasonal demands. Since the customers of the facility share parking spaces throughout all uses on the site, it would not make sense to identify specific parking spaces by use for the business.

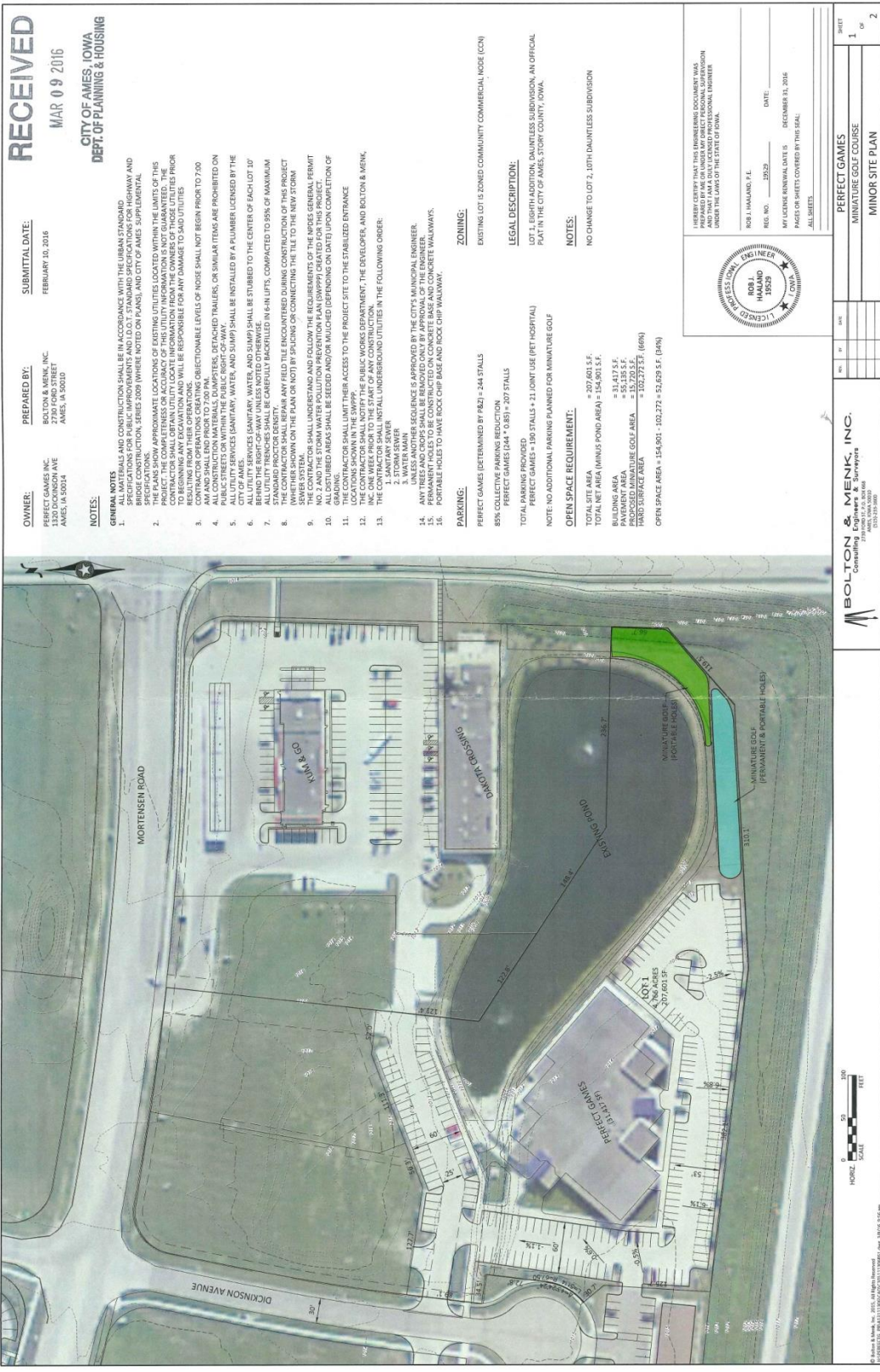
The joint use parking plan does allow for the city to require in the future the reevaluation of the parking if there becomes an issue with the required number of parking spaces needed on the property to facilitate all the proposed uses.

**Attachment A
Location Map**



**Location Map
1320 Dickinson Avenue**

Attachment B Draft Minor Site Development Plan



OWNER: PERFECT GAMES INC.
1332 DICKINSON AVE
AMES, IA 50014

PREPARED BY: BOLTON & MENK, INC.
2750 FORD STREET
AMES, IA 50010

SUBMITTAL DATE: FEBRUARY 10, 2016

RECEIVED
MAR 09 2016
CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

NOTES:

GENERAL NOTES:

- ALL UTILITIES SHOWN ON THIS PLAN SHALL BE IN ACCORDANCE WITH THE IOWA ENGINEERING REGULATIONS AND THE IOWA DEPARTMENT OF TRANSPORTATION AND PUBLIC INFRASTRUCTURE AND LOCAL STATUTES SPECIFIC TO HIGHWAY AND BRIDGE CONSTRUCTION, SERIES 2009 (WHERE NOTED ON PLANS), AND CITY OF AMES SUPPLEMENTAL SPECIFICATIONS TO THE IOWA ENGINEERING REGULATIONS.
- THE PLANS SHOW APPROXIMATE LOCATIONS OF EXISTING UTILITIES LOCATED WITHIN THE LIMITS OF THIS PROJECT. THE COMPLETENESS OR ACCURACY OF THIS UTILITY INFORMATION IS NOT GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING ANY EXCAVATION AND WILL BE RESPONSIBLE FOR ANY DAMAGE TO SAID UTILITIES RESULTING FROM THESE OPERATIONS.
- ALL EXCAVATIONS SHALL BE PROTECTED BY SHIELDING OR SHIELDING SHALL NOT BEGAIN PRIOR TO 7:00 AM AND SHALL END PRIOR TO 7:00 PM.
- ALL EXCAVATIONS SHALL BE PROTECTED BY SHIELDING OR SHIELDING SHALL NOT BEGAIN PRIOR TO 7:00 AM AND SHALL END PRIOR TO 7:00 PM.
- PUBLIC UTILITIES (SANITARY, WATER, AND SEWER) SHALL BE INSTALLED BY A PLUMBER LICENSED BY THE STATE OF IOWA.
- ALL UTILITIES (SANITARY, WATER, AND SEWER) SHALL BE INSTALLED BY A PLUMBER LICENSED BY THE STATE OF IOWA.
- BEHIND THE RIGHT-OF-WAY UNLESS NOTED OTHERWISE.
- THE CONTRACTOR SHALL REPAIR ANY FIELD TILE ENCOUNTERED DURING CONSTRUCTION OF THIS PROJECT TO ORIGINAL OR BETTER CONDITION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OF ANY FIELD TILE ENCOUNTERED DURING CONSTRUCTION OF THIS PROJECT.
- NO LAND DISTURBANCE SHALL BE PERMITTED UNTIL A PERMIT IS OBTAINED FROM THE IOWA DEPARTMENT OF NATURAL RESOURCES.
- NO LAND DISTURBANCE SHALL BE PERMITTED UNTIL A PERMIT IS OBTAINED FROM THE IOWA DEPARTMENT OF NATURAL RESOURCES.
- ALL DISTURBED AREAS SHALL BE SEEDED AND/OR MULCHED (DEPENDENT ON DATE) UPON COMPLETION OF CONSTRUCTION.
- THE CONTRACTOR SHALL LIMIT THEIR ACCESS TO THE PROJECT SITE TO THE STABILIZED ENTRANCE LOCATIONS SHOWN IN THE SWEEPING CURB MARKING OR BARRIERS.
- LOCATIONS SHOWN IN THE SWEEPING CURB MARKING OR BARRIERS SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
- THE CONTRACTOR SHALL INSTALL UNDERGROUND UTILITIES IN THE FOLLOWING ORDER:
1. TELEPHONE
2. STORM SEWER
3. WATER
4. GAS
5. SANITARY
- UNLESS ANOTHER SEQUENCE IS APPROVED BY THE CITY'S MUNICIPAL ENGINEER.
- ANY TREES AND SHRUBS SHALL BE REMOVED ONLY BY APPROVAL OF THE ENGINEER.
- ALL EXCAVATIONS SHALL BE PROTECTED BY SHIELDING OR SHIELDING SHALL NOT BEGAIN PRIOR TO 7:00 AM AND SHALL END PRIOR TO 7:00 PM.
- PORTABLE HOLES TO HAVE ROCK CHIP BASE AND ROCK CHIP WALKWAYS.

ZONING:
EXISTING LOT IS ZONED COMMUNITY COMMERCIAL (CCM).
LOT 2, 180' NORTH ADDITION, DAUNTLESS SUBDIVISION, AN OFFICIAL PART IN THE CITY OF AMES, STORY COUNTY, IOWA.

LEGAL DESCRIPTION:
LOT 2, 180' NORTH ADDITION, DAUNTLESS SUBDIVISION, AN OFFICIAL PART IN THE CITY OF AMES, STORY COUNTY, IOWA.

NOTES:
NO CHANGE TO LOT 2, 10TH DAUNTLESS SUBDIVISION.

PARKING:
PERFECT GAMES (DETERMINED BY PR2) - 244 STALLS
85% COLLECTIVE PARKING REDUCTION
PERFECT GAMES (144 * 0.85) = 207 STALLS

TOTAL PARKING PROVIDED:
PERFECT GAMES - 190 STALLS + 21 JOINT USE (NET HOISTALS)
NOTE: NO ADDITIONAL PARKING PLANNED FOR MINIATURE GOLF

OPEN SPACE REQUIREMENT:
TOTAL SITE AREA = 207,601 S.F.
TOTAL NET AREA (MINUS POND AREA) = 154,801 S.F.
BUILDING AREA = 31,417 S.F.
PARKING AREA = 55,135 S.F.
MINIATURE GOLF AREA = 102,272 S.F. (66%)
OPEN SPACE AREA = 154,801 - 102,272 = 52,529 S.F. (34%)

MINIATURE GOLF (PERMANENT & PORTABLE HOLES):
MINIATURE GOLF (PERMANENT & PORTABLE HOLES) = 102,272 S.F. (66%)

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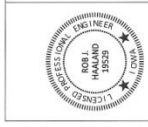
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ROBERT J. HAMAND, P.E.
REG. NO. 19252
DATE: DECEMBER 15, 2016
MY LICENSE EXPIRES ON: DECEMBER 15, 2016
FIELD OF SPECIALTY: CIVIL ENGINEERING

I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.



BOLTON & MENK, INC.
Consulting Engineers & Surveyors
1010 13TH STREET
AMES, IOWA 50010

PERFECT GAMES
MINIATURE GOLF COURSE
MINOR SITE PLAN

SHEET 1 OF 2

DATE: FEBRUARY 10, 2016

SCALE: AS SHOWN

PROJECT: PERFECT GAMES

LOCATION: 10TH DAUNTLESS SUBDIVISION

OWNER: PERFECT GAMES INC.

DESIGNED BY: [Name]

CHECKED BY: [Name]

DATE: FEBRUARY 10, 2016

SCALE: AS SHOWN

PROJECT: PERFECT GAMES

LOCATION: 10TH DAUNTLESS SUBDIVISION

OWNER: PERFECT GAMES INC.

DESIGNED BY: [Name]

CHECKED BY: [Name]

Attachment C Joint Use Parking Plan

Space above for recording data

Prepared By: Seth D. Dodge, Att’y at Law, 409 Duff, Ames, IA 50010 515-232-2501

Return Document To: City Clerk, City of Ames, 515 Clark Avenue, Ames, IA 50010
--

Joint Use Parking Agreement

THIS AGREEMENT is made on _____, 20____, between Perfect Games, Inc. whose address is _____, (hereafter “Owner”), and City of Ames, Iowa, whose address is 515 Clark Avenue, Ames, Iowa 50010, (hereafter “City”), sometimes referred to in this agreement individually as a “party” or collectively as the “parties.”

Recitals:

WHEREAS, Perfect Games, Inc. is the owner of premises described as:

Lot 1, Dauntless Subdivision Eighth Addition to the City of Ames, Story County, Iowa. Locally known as 1320 Dickinson Ave., Ames, IA 50014; and

WHEREAS, Perfect Games, Inc. currently operates a bowling and entertainment business on the premises (hereinafter, Family Entertainment Center); and

WHEREAS Perfect Games, Inc. currently has 190 paved parking spaces located on the premises, as well as use of an additional 21 spaces of remote parking; and

WHEREAS, Perfect Games, Inc. desires to add a Miniature Golf as a secondary business on its existing premises; and

WHEREAS, The City of Ames municipal ordinance, with respect to off-street parking (29.406), requires that additional parking spaces be installed on the premises in order to add the mini golf course. However, additional parking spaces are not required if a

multiple use agreement is implemented which allows for, and regulates the parking arrangement for both uses (29.401(17)); and

WHEREAS, Perfect Games desires to coordinate parking space usage on its site to allow for site usage that has differing peak usage. The bowling and entertainment facility has a winter peak while the miniature golf site will have a summer peak.

NOW THEREFORE, in consideration of the mutual covenants contained in this agreement, the parties covenant and agree as follows:

1. **Uses.** The following uses will be assigned to the premises:
 - a. Family Entertainment Center
 - b. Miniature Golf
2. **Guaranteed access to the parking for both Uses.** Parking for both uses is allowed at all times.
3. **Snow Removal.** The Owner shall remove the snow from the parking area and shall perform any other snow and ice treatment and removal duties.
4. **Liability and Insurance.** The Owner shall obtain and maintain liability insurance insuring its respective interests.
5. **Signage.** No signage for parking shall be placed on the premises.
6. **Duty of maintenance.** The Owner shall maintain the premises. The City of Ames has no maintenance obligation pursuant to this agreement.
7. **Effective period of agreement.** This agreement will be in effect so long as the property is used for both of the above described uses.
8. **Termination by Owner.** If the Owner desires to terminate the Agreement, Perfect Games, Inc. or its successor or assign will give the City of Ames written notice 10 days prior to recording the termination of this Agreement.
9. **Termination by City.** The City is agreeing to this joint use based on Owner's representations that the uses set forth under Subsection 1 are not expected to have overlapping peak times so that there will always be sufficient parking for both uses. If the City believes that the parking is insufficient to meet the joint need, based on demonstrated actual use, the City shall have the right to terminate this agreement. The decision to exercise the termination right by the City will be determined by the City Council. The City shall provide advance written notice to the Owner of the time and date of the City Council meeting at which termination of the agreement is going to be considered.
10. **Binding effect on successors and assigns.** The covenants contained in this agreement will be binding on and inure to the benefit of each of the parties, their

heirs, legatees, representatives, transferees, successors, and assigns.

IN WITNESS THEREOF, the parties have executed this agreement on _____, 2016.

CITY OF AMES, IOWA

STATE OF IOWA, COUNTY OF STORY, ss:

By _____
Ann H. Campbell, Mayor

On this ____ day of _____, 2016, 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 _____, 2016, 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.

Attest _____
Diane R. Voss, City Clerk

Notary Public in and for the State of Iowa

PERFECT GAMES, INC.

STATE OF IOWA, COUNTY OF STORY, ss:

By _____
Carl Markley, President

This instrument was acknowledged before me on _____, 2016, by Carl Markley as President of Perfect Games, Inc.

Notary Public in and for the State of Iowa

Attachment D Applicant Letter

RECEIVED

FEB 17 2016

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

1320 Dickinson Ave.
Ames, IA 50014
February 17, 2016

Ms. Karen Marren
Ames Planning and Housing
515 Clark Ave
Ames, IA 50010

We have accumulated some thoughts on parking at Perfect Games, Inc. to assist in any concerns with the addition of mini golf to our portfolio. Below is a list of our thoughts;

1. Mini Golf will be open during the summer. Generally business is down 35-40% in the summer overall, so there is less parking and property functions being used. This inversely proportional effect should be beneficial in all aspects.
2. In our almost 3 years with the facility, we've rarely seen the east parking area half full. We have only seen it near capacity on our busiest days during the year, which are during the winter. All other areas of our parking may be full and this area is normally completely empty. There are generally 40+ parking spots open in the east parking area where mini-golf would be
3. Our parking was based on 5 spots per bowling lane which was derived from information that is over 50 years old. 5 person bowling teams were the standard but this is outdated information. Of the 12 bowling leagues we have, 1 of them has 5 person teams and it's our smallest league, all others are 3 or 4 persons per team. This would give us at least 24 extra spots most nights in the winter and even more in the summer when our bowling leagues are cut by 65% and there are no 5 person teams.
4. Our goal with mini-golf is to add another option for those already planning to visit Perfect Games during the summer months. Although we hope it would increase visitors during our slow time, we're not entirely sure it will draw more people.
5. Sadly, as hard as we've tried, our restaurant doesn't draw people to use that area specifically. More often than not, there is not a single person in our restaurant seating. We know the area of the restaurant had an effect on the original number of parking spots required, but we just don't get the use of this area. People view us more as entertainment than food. We've even dropped the names KingPin Pizza and Bootleggers Bar.
6. There is a parking agreement with the pet hospital and these spaces are underutilized to the point of almost never being used.

With these factors we feel the need for parking for the mini golf are met on the site during the times it would be in use.

Thank you for your consideration, let us know if you have any further questions or concerns about parking or mini golf.

Kelly McPartland, Adam Dodds, Cael Sanderson and Carl Markley – Stockholders of Perfect Games, Inc.

COUNCIL ACTION FORM

SUBJECT: ENGINEERING SERVICES FOR UNIT 7 SUPERHEATER, FURNACE WALL AND DUMP GRATE REPLACEMENT

BACKGROUND:

A Unit 7 boiler tube study conducted by M&M Engineering Associates, Inc. in 2014 determined that the boiler tubes in the vicinity of the Power Plant's furnace displayed severe thinning. The degradation of these tubes has resulted in an increase in tube repairs required on the Unit 7 boiler to maintain operation. In addition to resolving the tube thinning issue, this contract will call for the redesign of the lower tube sections to allow for better combustion of refuse derived fuel (RDF). Historically Unit 7 boiler has not combusted RDF as efficiently as the Unit 8 boiler. This has led to "unburned" amounts of RDF, which has caused plugs in plant piping and accelerated wear on plant components.

Electric Services staff desires to hire an engineering firm to provide engineering services to address these issues. The selected firm will be required to supply certified technical specifications and detailed cost estimates for the replacement of Unit 7 superheater, redesign of the lower furnace walls, new dump grates, and any other approved component recommended by the firm.

On February 24, 2016, a Request for Proposal (RFP) was issued to twenty-seven firms for proposals. The RFP was advertised on the Current Bid Opportunities section of the Purchasing webpage, and was also sent to one plan room. On March 24, 2016, staff received proposals from seven firms. Staff evaluated the proposals and independently evaluated and scored all seven proposals in the following two steps:

STEP 1:

The proposals were evaluated based on compliance with proposal documents. This criterion was rated on a Pass / Fail basis.

STEP 2:

The proposals were evaluated based on: 1) knowledge, capabilities, skills, and abilities of the proposed project team based on the resumes submitted; 2) firm's experience and references for similar projects; 3) described work approach/plan with proposed schedule; 4) experience and familiarity with the Ames plant; and 5) price and rates.

Based on the matrix used to quantify these proposals, the averaged scores in this step are shown below:

Offerors	Average Scores	Not-to-Exceed Amount
Zachry Engineering Corporation Minneapolis, MN	856	\$93,500
Burns & McDonnell Kansas City, MO	803	\$117,500
Lutz, Daily & Brain, LLC Consulting Engineers Overland Park, KS	785	\$77,900
Sargent & Lundy, LLC Chicago, IL	741	\$265,000
Karges-Faulconbridge, Inc. Iowa City, IA	712	\$89,700
Brown Engineering Des Moines, IA	699	\$270,864
Valdes Engineering Company Lombard, IL	619	\$145,200

Each score was based on a scale of 1 to 10. Overall, 1,000 possible points were available cumulatively for each firm that responded. The overall weighted score was a function of the aforementioned factors evaluation factors.

Based on the averaged scores and a unanimous decision by the evaluation committee, staff is recommending that a contract be awarded to Zachry Engineering Corporation of Minneapolis, MN, for an amount not to exceed \$93,500. Payments would be calculated on unit prices bid for actual work performed.

The approved FY2016/17 CIP for Unit #7 Boiler Tube Repair includes \$3,850,000 for engineering, materials and installation on this project.

ALTERNATIVES:

1. Award a contract to Zachry Engineering Corporation, Minneapolis, MN, for the Engineering Services for Unit 7 Superheater, Furnace Wall, and Dump Gate Replacement in an amount not-to-exceed \$93,500.
2. Award a contract to another bidder for the Engineering Services for Unit 7 Superheater, Furnace Wall, and Dump Gate Replacement.
3. Reject all proposals and delay the Engineering Services for Unit 7 Superheater, Furnace Wall and Dump Gate Replacement.

MANAGER'S RECOMMENDED ACTION:

This project will increase the reliability of the Unit # 7 and increase the life expectancy of the boiler at it begins to use natural gas as a fuel source. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

COUNCIL ACTION FORM

SUBJECT: CYRIDE PURCHASE OF FOUR 40' BUSES TO GILLIG CORPORATION OF HAYWARD, CALIFORNIA FOR A NOT-TO-EXCEED AMOUNT OF \$1,772,000

BACKGROUND:

Over the last two years, CyRide has been awarded three state grant applications to purchase a total of four 40' buses. The combined budget/sources for a bus purchase is as follows:

Iowa DOT Grant	\$351,200
2015 Iowa Clean Air Attainment Program (ICAAP) Grant	\$702,400
2016 Iowa Clean Air Attainment Program (ICAAP) Grant	\$364,000
Local Funding (20%)	<u>\$354,400</u>
Total Capital Investment	\$1,772,000

The Iowa Department of Transportation has conducted a statewide bid for the purchase of transit buses. Therefore, this bid will be used to secure these vehicles, as opposed to a separate bid conducted by CyRide as is allowed by the Federal Transit Administration. Gillig buses comprise 69% of CyRide's bus fleet. Therefore, this award will further standardize CyRide bus fleet, reducing maintenance costs. These vehicles have also proven to be a reliable, quality bus in the fleet.

While final price negotiations are currently in progress based on CyRide's bus specifications, approving the purchase of four 40' buses to Gillig Corporation of Hayward, California at the not-to-exceed grant amount of \$1,772,000 will allow for an expeditious award as the delivery date is approximately 22 months from the time a purchase order is issued.

The total local share of \$354,400 for these buses will be accumulated in CyRide's capital budget in the current year and over the next two budget years – next year's budget (2016-2017) and the following year (2017-2018). CyRide will have accumulated all required local share dollars by the time buses are delivered (anticipated for Late Spring/Summer 2018) and payment is required. Local funding for this grant is included in the 2016-2021 Capital Improvement Plan approved by the Ames City Council earlier this year.

The Transit Board of Trustees approved purchase of these vehicles at their April 29, 2016 meeting.

ALTERNATIVES:

1. Approve award of four 40' articulated buses to Gillig Corporation of Hayward, California at a price not-to-exceed \$1,772,000.
2. Direct staff to prepare a CyRide 40' bus procurement bid.
3. Do not purchase new buses and return grant funds to the FTA.

MANAGER'S RECOMMENDED ACTION:

CyRide was chosen by the Iowa Department of Transportation to receive funding to replace/expand its fleet. This award was in recognition of CyRide's increasing ridership demand and need for a reliable, newer bus fleet to meet this demand in an efficient manner. Purchase of these vehicles through the Iowa Department of Transportation's procurement process will allow the competitive procurement requirements to be met in a manner that reduces CyRide's administrative costs and standardizes the fleet, benefitting its riders, drivers and mechanics.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the purchase of four 40' buses from Gillig Corporation at a total price not-to-exceed \$1,772,000.

COUNCIL ACTION FORM

**SUBJECT: 2016/17 PAVEMENT RESTORATION PROGRAM – CONTRACT 1:
CONCRETE JOINT REPAIR PROGRAM**

BACKGROUND:

This is an annual program for preventative and proactive maintenance activities on City streets. This program allows for a wide variety of pavement maintenance techniques to preserve and enhance City street infrastructure. The techniques in this program are typically more specialized or larger in scope than can be performed with City street maintenance staff. The goal of projects in this program will be to repair and extend the lifespan of the City streets

The 2016/17 Pavement Restoration Program Contract 1: Concrete Joint Repair Program will focus on joints in existing concrete streets that are experience rapid deterioration from freeze thaw cycles in the winter months. **Two work areas that have been indentified are 6th Street from Clark Avenue to Duff Avenue and 13th Street Extension from Hyland Avenue to east of the Union Pacific Railroad overhead bridge.** Traffic will be maintained on 6th Street and 13th Street with one lane in each direction. Intersection work on 6th Street may close the roadway to traffic while repair work is completed. Work in all locations will be coordinated with other local projects to minimize traffic disruptions.

Staff has completed plans and specifications with estimated project costs for Contract 1 of \$74,000. Funding is identified in the 2016/17 Capital Improvements Program in the amount of \$250,000. The table below shows anticipated program costs and funding.

	Project Costs	Funding
Contract 1: Concrete Joint Repairs (this action)	\$74,000	
Contract 2: Slurry Seal Program	\$83,895	
2016/17 Pavement Restoration CIP		<u>\$250,000</u>
	\$157,895	\$250,000

Left over funding will be utilized for other pavement restoration priorities across the City.

ALTERNATIVES:

1. Approve the 2016/17 Pavement Restoration Program Contract 1: Concrete Joint Repair Program by establishing June 22, 2016, as the date of letting and June 28, 2016, 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 street rehabilitation before the winter of 2016.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the 2016/17 Pavement Restoration Program Contract 1: Concrete Joint Repair Program by establishing June 22, 2016, as the date of letting and June 28, 2016, as the date for report of bids.

COUNCIL ACTION FORM

**SUBJECT: 2016/17 PAVEMENT RESTORATION PROGRAM – CONTRACT 2:
SLURRY SEAL PROGRAM**

BACKGROUND:

This is an annual program for preventative and proactive maintenance activities on City streets. This program allows for a wide variety of pavement maintenance techniques to preserve and enhance City street infrastructure. The techniques in this program are typically more specialized or larger in scope than can be performed with City street maintenance staff. The goal of projects in this program will be to repair and extend the lifespan of the City streets

The 2016/17 Pavement Restoration Program Contract 2: Slurry Seal Program will focus on various areas around Ames. The Slurry Seal Program will level dips in joints and provided a new thin wearing surface for traffic. This work will take place predominately in residential areas. Work in all locations will be coordinated with other local projects to minimize traffic disruptions.

Staff has completed plans and specifications with estimated project costs for Contract 2 of \$83,895. Funding is identified in the 2016/17 Capital Improvements Program in the amount of \$250,000. The table below shows anticipated program costs and funding.

	Project Costs	Funding
Contract 1: Concrete Joint Repairs	\$74,000	
Contract 2: Slurry Seal Program (this action)	\$83,895	
2016/17 Pavement Restoration CIP		<u>\$250,000</u>
	\$157,895	\$250,000

Left over funding will be utilized for other pavement restoration priorities across the City.

ALTERNATIVES:

1. Approve the 2016/17 Pavement Restoration Program Contract 2: Slurry Seal Program by establishing June 22, 2016, as the date of letting and June 28, 2016, 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 street rehabilitation before the winter of 2016.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the 2016/17 Pavement Restoration Program Contract 2: Slurry Seal Program by establishing June 22, 2016, as the date of letting and June 28, 2016, as the date for report of bids.

COUNCIL ACTION FORM

SUBJECT: 2015/16 STORM SEWER IMPROVEMENT PROGRAM – VARIOUS LOCATIONS

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 large area, which is considered “public” water. As these facilities age, sediment accumulates, vegetation becomes more prevalent, and structures need to be improved. This annual CIP program addresses these concerns.

The 2015/16 Storm Sewer Improvement Program locations identified in the Capital Improvements Plan are Mortensen Parkway (University to Beach) and Main Street (under UPRR tracks to Lincoln Way). This project is for intake repair on Mortensen Parkway as well as seven other locations that are larger in scope than can be performed with City street maintenance staff.

Staff has completed plans and specifications with estimated revenue and expenses shown below:

	Revenue	Expenses
Storm Sewer Utility Fund	\$ 250,000	
2015/16 Storm Sewer Improvement (This Project)		\$ 108,700
2015/16 Storm Sewer Improvement (Main Street)		\$ 50,000
2015/16 Arterial Street Pavement Improv. (13 th Street)		\$ 30,000
2015/16 Shared Use Path Expansion (S. Dakota)		\$ 6,000
Engineering/Administration		<u>\$ 35,000</u>
	<u>\$ 250,000</u>	<u>\$ 229,700</u>

Any unused fund will be utilized for rehabilitation of storm sewer intakes on other projects.

ALTERNATIVES:

1. Approve the 2015/16 Storm Improvement Program – Various Locations by establishing June 22, 2016 as the date of letting and June 28, 2016 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 will be possible to move forward with the intake replacements on Mortensen prior to the first ISU football game and the other 7 locations during the fall of 2016.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the 2015/16 Storm Improvement Program – Various Locations by establishing June 22, 2016 as the date of letting and June 28, 2016 as the date for report of bids.

COUNCIL ACTION FORM

**SUBJECT: CITY HALL PARKING LOT RECONSTRUCTION
(SOUTH SKUNK RIVER BASIN WATERSHED IMPROVEMENTS)**

BACKGROUND:

On February 24, 2015, City Council supported application of two state-funded grants that will facilitate storm water quality and quantity improvements in the downtown area. The City has successfully received \$100,000 from the Iowa Department of Agriculture and Land Stewardship (IDALS) for water quality improvements as proposed in the application. Funding from the State Revolving Fund (SRF) Sponsored Project Program has also been awarded in connection with two SRF funded sewer improvement projects. Essentially, the interest paid to the Iowa Department of Natural Resources (IDNR) on the SRF loans for those projects is being returned to the City for use on the storm water-related parking lot improvements.

Staff created a master plan for the project site, which is within the Squaw Creek Watershed, including the area between 5th Street and 6th Street, around City Hall, and within Parking Lots M, MM, and N. The scope for this specific project is defined to include the area around City Hall and Parking Lot M (lot west of City Hall). Work in the remaining areas will be reevaluated as additional funding is identified.

This project will include soil quality restoration and replacing all standard lawn turf with native turf/landscape. In addition, permeable pavers and bio-retention cells will be constructed at various locations on the site. Other storm water best management practices (BMP's) will also be considered as the project is designed.

Management of the water quality and quantity volumes of storm water runoff will be met, thereby satisfying the requirements of the City's Post Construction Ordinance, Chapter 5.B. **This project will serve as a model for others who develop residential and commercial properties within the City and who hope to achieve successful post-construction storm water management.**

An informational meeting was held for City Hall staff members to outline the parking displacement plan for those employees who will be temporarily displaced during the parking lot construction. The project will be staged to maintain access to Lot MM (the parking lot north of the Veterans Memorial) at all times and to reconstruct Lot M one half at a time and maintain access to the other half during construction. Staff will utilize Lot M, Lot N (the lot east of City Hall), and Lot TT (the lot west of Kosama on Main Street), as well as approximately 25 spaces made available by Fareway, for daily staff parking on a first come first served basis. Staff will not utilize the free public parking in Lot MM during construction. Staff has also coordinated with the 5th Street reconstruction so that

work will not begin on Lot M until 5th Street is complete (est. July 1) and after the Fourth of July Parade and Midnight Madness.

Revenue and expenses for the project are shown below:

	Available Revenue	Estimated Expenses
City Hall Parking Lot Reconstruction		\$ 986,915
City Hall Parking Lot Reconstruction Funding	\$ 500,000	
Savings from City Hall Roof Project*	\$ 100,000*	
IDALS Water Quality Grant	\$ 100,000	
Iowa DNR SRF Sponsored Project Funding	\$ 320,000	
15/16 Storm Water Quality Improvement Program	\$ 100,000	
Engineering/Administration		\$ 127,250
	\$ 1,120,000	\$ 1,115,215

*The City Hall roof project was budgeted at \$700,000. The actual contract plus engineering/inspection will cost \$500,000. By using \$100,000 for this parking lot project, \$100,000 will still remain for any needed roof project change orders.

The IDALS Water Quality Grant noted above originally had an end date of June 30, 2016 for expenditure of the funds and final acceptance. Staff has worked with IDALS for an extension of this date to June 30, 2017 so that the final acceptance of the project by City Council will be done in accordance with the agreement terms.

ALTERNATIVES:

- 1a. Approve the revised IDALS Water Quality Grant completion date to June 30, 2017.
- b. Approve the City Hall Parking Lot Reconstruction (South Skunk River Basin Watershed Improvements) by establishing June 22, 2016, as the date of letting and June 28, 2016, as the date for report of bids.
2. Direct staff to revise the project

MANAGER’S RECOMMENDED ACTION:

This demonstration project is a unique application of soil quality restoration and native landscape in an urban setting. By proceeding with this project, the City can be recognized statewide as an innovative community that is willing to construct demonstration storm water BMPs to address water quality and quantity concerns.

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

COUNCIL ACTION FORM

SUBJECT: ELECTRIC SERVICES FUEL SUPPLY CONTRACT

BACKGROUND:

This contract is for the purchase of #2 ultra low sulfur diesel fuel for Electric Services. The utility has a 250,000-gallon main fuel tank located at the Dayton Substation to fuel the two GT (gas-turbine) units. The Utility's two gas-turbines could burn 250,000 gallons of fuel in a 60 hour time period, requiring larger refill volumes and quick refills should an emergency dictate that they stay on-line.

The scope of work for this contract includes supplying fuel to gas turbines units as needed. Suppliers were asked to provide pricing based in the form of a markup to the daily-published "rack" average fuel price at the Des Moines, Iowa, terminal for stated products.

This contract is to supply #2 ultra low sulfur diesel fuel to Electric Services for the period from July 1, 2016 through June 30, 2017. The contract includes a provision that would allow the City to renew the contract for up to four additional one-year terms.

The goal of the contract is to create efficiency and flexibility in the purchase of a valuable commodity, ensuring that the City is able to use opportunity purchasing and to lock in performance criteria for the suppliers. Council should note that the Electric Service is currently purchasing this fuel with a supplier under a contract that expires on June 30, 2016.

On March 17, 2016, bid documents were issued to sixteen companies. 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 plan room.

On April 13, 2016, five bids were received as shown on the attached report. **Staff has reviewed the bids and concluded that the apparent low bid submitted by Keck Energy, Des Moines, IA, in the amount of (-\$0.0061) deduct off of the "rack" fuel price is acceptable.**

Council should note that actual cost invoices will be based on the amount of fuel purchased and the price of the fuel at the time of purchase. The total cost of fuel purchased under this contract based on typical usage is estimated to be \$84,539.08.

The approved FY 2016/17 operating budget includes \$300,000 for this fuel purchase.

ALTERNATIVES:

1. Award a contract for supplying diesel fuel to the City's gas turbine units to Keck Energy, Des Moines, IA, at (-\$0.0061) deduct off of rack fuel price in an amount not-to-exceed \$300,000. The contract includes a provision that would allow the City to renew the contract for up to four additional one-year terms.
2. Reject all bids and purchase fuel on daily bids.

MANAGER'S RECOMMENDED ACTION:

This contract will offer the City the ability to have flexibility in fuel purchasing and to maintain standards of performance for fuel content and fuel delivery. Detailed ordering and delivery procedures will also be part of this contract.

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



2016-146 #2 ULTRA LOW SULFUR DIESEL FUEL FOR POWER PLANT

Bidder	Markup / Deduct	Rack Price / Gal	Total Price / Gal	Estimated price per truckload**	Estimated Annual Costs (based on 10 truckloads)
Keck Energy, Des Moines, Iowa	-\$0.0061	\$1.1485	\$1.1424	\$8,453.91	\$84,539.08
Diamond Oil Co., Des Moines, Iowa	\$0.0059	\$1.1485	\$1.1544	\$8,542.71	\$85,427.08
New Century Farm Service, Grinnell, Iowa	\$0.0140	\$1.1485	\$1.1625	\$8,602.65	\$86,026.48
Petroleum Traders Corporation, Fort Wayne, Indiana	\$0.0213	\$1.1485	\$1.1698	\$8,656.67	\$86,566.68
Fausser Energy Resources, Elgin, Iowa	\$0.0275	\$1.1485	\$1.1760	\$8,702.55	\$87,025.48

** Based on transport load of 7,400 gallons and \$1.1485 average price per gallon. Average price per gallon from April 4, 2016 to April 8, 2016 (Per Iowa DOT website on #2 Ultra Low Sulfur Diesel).

COUNCIL ACTION FORM

SUBJECT: CONTRACT RENEWAL FOR ELECTRIC MARKET PARTICIPANT SERVICES SOFTWARE

BACKGROUND:

This action involves renewal of a subscription for market specific software that provides the necessary tools to electronically communicate and conduct transactions with the Midcontinent Independent Transmission System Operator (MISO) Energy Market.

This software assists Electric Services in managing the load (the electrical demand of our customers), the generation from the City's Power Plant, our wind resources, plus the imported power from the MISO market to satisfy customers' electrical consumption. The use of this software allows staff to make informed decisions on how to engage in the MISO market, and enables staff to check the accuracy of MISO's very complex billing system. Rather than owning the software, the City leases it and contracts for needed support services.

On April 22, 2014, City Council awarded a contract to MCG Energy Solutions, LLC., Minneapolis, MN, in the amount of \$118,800 for MISO Market Participant Services for Electric Services.

This contract included the option for the City to renew in one-year increments for up to two additional years. Staff recommends renewing the agreement for FY 2016/17. The price escalator provision under this contract increases the monthly rate by 1% above the previous fiscal year's monthly rate at time of renewal. The contract amount for the coming year will be \$121,187.88. This increase is in accordance with the contract terms initially established. **This is the second renewal out of two maximum.**

The approved FY2016/17 operating budget includes \$217,000 for this software and other related support services.

ALTERNATIVES:

1. Approve the contract renewal with MCG Energy Solutions, LLC., Minneapolis, MN, for the MISO Market Participant Services for the one-year period from July 1, 2016, through June 30, 2017 in an amount of \$121,187.88 plus applicable sales taxes to be paid directly by the City to the State of Iowa.
2. Do not renew the agreement and instruct staff to seek new competitive proposals.

MANAGER'S RECOMMENDED ACTION:

This contract provides vital MISO Energy Market software service for Electric Services. The renewal of this contract will continue to provide Ames with the benefit of fixed pricing, continuity of integration and service, and reduced administrative burden.

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



CITY OF
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MEMO

To: Mayor and Members of the City Council

From: City Clerk's Office

Date: May 20, 2016

Subject: Contract and Bond Approval

There are no Council Action Forms for Item Nos. 39 and 40. Council approval of the contract and bond for these projects is simply fulfilling a *State Code* requirement.

/jr

ITEM # 41
DATE 5-24-16

COUNCIL ACTION FORM

**SUBJECT: ACCEPT FINAL COMPLETION OF ADA HAYDEN HERITAGE PARK
SERVICE LINE PROJECT**

BACKGROUND:

On January 12, 2016, City Council awarded a contract to Ames Trenching and Excavating Inc., of Ames, Iowa, in the amount of \$45,500 to install a new water service line at Ada Hayden Heritage Park.

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

ALTERNATIVES:

1. Approve completion and authorize final payment, in accordance with the contract, to Ames Trenching and Excavating Inc., of Ames, Iowa, for construction of a new water service line.
2. Do not accept completion of the Ada Hayden Heritage Park Service Line project at this time.

MANAGER'S RECOMMENDED ACTION:

Work for the project has been completed in accordance with plans and specifications. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving completion and authorizing final payment to Ames Trenching and Excavating, Inc. for construction of the new water service line.

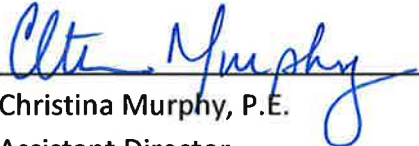
Engineer's Statement of Completion

Project: Ada Hayden Heritage Park	Date of Contract: January 12, 2016
Owner: Ames Parks & Recreation Department	Contract No.: 2016-100
Engineer: Ames Water and Pollution Control Department	Contractor: Ames Trenching and Excavating Inc.

I hereby state that the **Ada Hayden Service Line** project has been satisfactorily completed in general compliance with the terms, specifications, and stipulations of said contract.

The work was completed on May 13, 2016.

I further state that the retainage may be released in accordance with the contract documents.

 Date 5/17/16
Christina Murphy, P.E.
Assistant Director
Water and Pollution Control Department

COUNCIL ACTION FORM

SUBJECT: ACCEPTANCE OF CITY HALL RENOVATION PHASE 2 PROJECT

BACKGROUND:

On July 22, 2014, Council approved the preliminary plans and specifications for the Phase 2 renovation of City Hall. On September 9, 2014, Council approved a construction contract with HPC, LLC, Ames, IA, for the City Hall Phase 2 renovation project in the amount of \$829,900. The contract was to renovate portions of the first floor and the basement of City Hall to address the greatest space needs in the building.

During construction, six change orders were approved for various unknown items discovered during demolition and for additional items determined to be needed to complete the intent of the renovation. There are also two significant deductive changes, which included modifications to the outside air unit and deletion of an extended fire alarm guarantee that was not required. The total amount of these change orders is \$3,117, bringing the total cost of the construction project to \$833,017.

The total budget for Phase 2 of this project is \$1,038,233 and was provided by savings in the General Fund over several years.

Project Cost Summary:

Architectural Fees – by Walker Coen Lorentzen	\$	92,840
Construction Advisory Fees – by ISU		4,950
Construction Expenses – by HPC		833,077
Furniture/Moving/Other Miscellaneous Expenses		<u>100,250</u>
Total Project Expenses	\$	1,031,117
Unencumbered Balance	\$	7,116

All purchases and construction have now been completed, leaving an estimated unencumbered amount of \$7,116. Substantial completion date for this project was August 3, 2016, with final completion May 19, 2016.

ALTERNATIVES:

1. Accept completion of the City Hall Phase 2 Renovation project by HPC, LLC, as of May 24, 2016, in the amount of \$833,077.
2. Do not accept completion of this project at this time.

MANAGER'S RECOMMENDED ACTION:

All of the required work on this project has been completed by HPC, LLC. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.

COUNCIL ACTION FORM

SUBJECT: FATS, OILS, AND GREASE CONTROL ORDINANCE REVISIONS

BACKGROUND:

Fats, Oils, and Grease (FOG) is a wastewater pollutant that contributes to sewer blockages that can lead to environmental and health concerns and cause economic losses. Although FOG can be introduced into wastewater from a variety of sources, food service establishments (FSEs) can be major contributors. The City's Plumbing Code has requirements for installation of grease interceptors in new restaurants and upon certain upgrades to existing restaurants. However, the Plumbing Code does not address ongoing cleaning and maintenance of that equipment, nor does it address other practices that should be used to reduce the introduction of FOG into the public sewer system.

In November 2014, City Council adopted an ordinance implementing a FOG Control Program. Among other elements, the FOG Control Program included a Restaurant Surcharge rate that would be added to the regular sewer use rate for any FSE that did not meet the requirements of the Program. The implementation timeline included two, six-month compliance periods where the Restaurant Surcharge Rate was not enforced. This was to allow restaurants a grace period to learn about the requirements of the program and to make any necessary changes to their management practices to become compliant.

In the time since the ordinance was adopted, City staff has launched the program which is now in the second compliance period. Information about the program has been communicated through mailings and also in public information sessions held on December 17 and 18, 2015. Forty five individuals were in attendance at those meetings representing multiple FSEs.

Feedback from FSE's about the program has been encouraged throughout the process to give City staff a better understanding of how FSEs are adjusting to the program. FSEs, along with waste haulers and other City departments, have provided valuable feedback which has been used to shape the proposed revisions to the FOG Control Program.

City staff has prepared the attached ordinance containing revisions to the FOG Control Program. The proposed revisions include the following key elements.

1. Removal of Food Processing Plants and Retail Food Establishments from the program. Practices occurring at these sites have been reviewed by City staff

and it has been determined that they are not the target of the program. **This change eliminated approximately 30 FSEs from the program.**

2. Defining the process required for an FSE to gain approval to use an additive as a method of FOG control. Also defined are the specific types of additives that will not be approved for use. These types of additives are designed to disperse the accumulated FOG and would work against the goals of the program. **This change would help relieve some confusion as to which types of additives were permissible.**
3. Delineating the difference between a gravity-flow grease interceptor and a hydromechanical grease interceptor. These devices vary in size with the hydromechanical grease interceptor being much smaller. Highlighting the difference provides the opportunity to **allow FSEs to clean out their own hydromechanical grease interceptors** while still requiring that gravity-flow grease interceptors be cleaned by a party that specializes in that line of work.
4. Setting of the Restaurant Surcharge rate at \$2.54/100 cubic feet for non-compliance with the FOG Control Program. Data was collected from thirty three FSEs on the program to help determine the rate. The data collected included the following.
 - a. Intervals at which the FSE had its grease interceptor cleaned and the percentage full the grease interceptor was at each cleaning.
 - b. Cost to clean the FSE's grease interceptor.
 - c. The FSE's average monthly sewer usage.

Using the cleaning data allowed staff to determine the minimum frequency (cleanings per month) at which an FSE would need to clean its grease interceptor in order to be compliant with the program. Multiplying this frequency by the cost to have the grease interceptor cleaned provided an estimated monthly cost for the FSE for the proper maintenance of their equipment.

The estimated monthly cost was then divided by the average monthly sewer usage to give a surcharge rate for that FSE. **The proposed Restaurant Surcharge rate was the median rate obtained from the data.**

5. Addition of a Restaurant Fee set at \$75.00/month to be used in lieu of the Restaurant Surcharge for FSEs that are not billed for sewer usage or whose sewer usage is not representative of their food service activities. A number of FSEs on the program are not billed for sewer usage due to the way the utilities were setup for their location (for example, an independent coffee shop inside a grocery or retail store). In addition, there are facilities on the program which are billed for high volumes of sewer usage with only a small portion of that usage being related to food service (such as hotels that use large

volumes of water for laundry or guest showers with only a small percentage used for a breakfast buffet). These facilities would be subject to the Restaurant Fee only if they are not compliant with the program. The fee was determined by using the Restaurant Surcharge rate from above and multiplying that by the median monthly sewer usage for FSEs on the program. Staff believes this is the most equitable way to address these types of unique establishments without imposing significant re-plumbing costs to the FSE.

The final compliance grace period established in the original ordinance is set to expire on June 30, 2016. All FSEs who are in compliance with the FOG Control Program during the second half of 2016 will be exempt from paying the Restaurant Surcharge or Restaurant Fee. Any who are not in compliance will see the Restaurant Surcharge appear on their utility bill for meter readings beginning on January of 2017. Every six months their compliance status will be re-evaluated, and FSEs could potentially move on or off of the surcharge rate.

ALTERNATIVES:

1. Approve the attached ordinance containing revisions to the Fats, Oils, and Grease Control Program.
2. Direct City staff to modify the attached ordinance.
3. Do not approve the ordinance revising the Fats, Oils, and Grease Control Program.

MANAGER'S RECOMMENDED ACTION:

An effective Fats, Oils and Grease (FOG) Control Program will improve the operation of the City's sanitary sewer collection system and Water Pollution Control Facility, will decrease the likelihood of environmental damage, and will reduce hazards to human health. **City staff has worked extensively with local food service establishments (FSEs) and waste haulers to receive feedback, suggestions, and data. These responses are the basis for the proposed FOG Control Program revisions. The proposed revisions will remove unnecessary sites from the program and make it easier for FSEs to comply with the program. Also, setting the proposed rate/fee for non-compliance will help achieve the goal of reducing FOG discharge to the sanitary sewer.** Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTIONS 28.302(5),(18),(19), (20), 28.304(1), 28.304(8)(D), (11), 28.306 (11), 28.308 , APPENDIX Q, HIGH-STRENGTH SURCHARGE RATES AND RESTAURANT SURCHARGE AND ENACTING A NEW SECTIONS 28.302(5),(18),(19), (20), 28.304(1), 28.304(8)(D), (11), 28.306 (11), 28.308, APPENDIX Q, HIGH-STRENGTH SURCHARGE RATES AND RESTAURANT SURCHARGE THEREOF, FOR THE PURPOSE OF FATS, OILS AND GREASE REVISIONS; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Sections 28.302(5),(18),(19), (20), 28.304(1), 28.304(8)(D), (11), 28.306 (11), 28.308 and enacting a new Sections 28.302(5),(18),(19), (20), 28.304(1), 28.304(8)(D), (11), 28.306 (11), 28.308 as follows:

“Sec. 28.302. DEFINITIONS.

...

(5) **‘Normal Domestic Wastewater’** shall mean, for the purposes of surcharge Program implementation, wastewater that has constituent concentrations at or below the values shown in the following table, expressed in milligrams per liter (mg/L).

<u>Constituent</u>	<u>Concentration, mg/L</u>
Oxygen Demand	
CBOD ₅	250
COD	550
Nitrogen	
NH ₃ -N	30
TKN	45
Solids	
TSS	300
Fats, Oils, and Grease	
Oil and Grease	300

...

(18) **‘FOG’** (denoting Fats, Oils, and Grease) shall mean organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures in 40 CFR 136, as may be amended from time to time. All are sometimes referred to herein as “grease”, “greases”, and “oil and grease”.

(19) **‘FSE’** (denoting Food Service Establishment) shall mean a food establishment required to hold a Food Service Establishment License or Mobile Food Unit License from the Iowa Department of Inspections and Appeals. FSE shall not mean an establishment which is only required to hold a Food Processing Plant License or Retail Food Establishment License from the Iowa Department of Inspections and Appeals.

(20) **‘Grease Interceptor’** shall mean a tank that serves one or more fixtures and captures wastewater from garbage disposals, floor drains, pot and pan sinks and trenches as allowed by local plumbing codes. Dishwashers may in some instances also be connected to a grease interceptor as allowed by local plumbing codes. A grease interceptor reduces the amount of FOG in wastewater prior to its discharge into the POTW and may be a gravity-flow grease interceptor located underground or a hydromechanical grease interceptor located within a building.

...

Sec. 28.304. SEWER RATES ESTABLISHED.

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

...

(8)

...

(d) The sewer service charge will be billed only on the difference between the water meter reading and the yard meter reading.

...

(11) For those users which operate Food Service Establishments licensed by the State of Iowa, a Restaurant Surcharge, Restaurant Fee, or High-Strength Surcharge Rate, in addition to the normal user charge, shall be collected. The Restaurant Surcharge, Restaurant Fee, and High-Strength Surcharge Rate shall be listed in Appendix Q.

(a) Users which are billed for sewer usage shall be assessed the Restaurant Surcharge.

(b) Users which are not billed for sewer usage or whose sewer usage is not representative of the facilities food service activities shall be assessed the Restaurant Fee.

(c) Users whose sanitary sewer discharge flows through an outfall monitored by the City of Ames Non-Domestic Waste Pretreatment Program shall be assessed a High-Strength Surcharge Rate that includes the surcharge for Oil and Grease as calculated based on their sampling results.

...

Sec. 28.306. GENERAL PROHIBITIONS FOR WASTE DISPOSAL IN THE SEWER.

...

(11) Any additive or emulsifier designed for the purpose of reducing the accumulation of Fats, Oils, and Grease in plumbing, grease interceptor equipment, or the POTW, except those additives or emulsifiers that have been approved for such use by the Director of Water and Pollution Control.

...

Sec. 28.308 FATS, OILS, AND GREASE CONTROL PROGRAM.

The purpose of this section shall be to aid in the prevention of sanitary sewer blockages and obstructions from contribution and accumulation of Fats, Oils, and Grease (FOG) into the POTW. Such discharges from commercial kitchens, restaurants, and all other food service establishments, where FOG of vegetable or animal origin is discharged directly or indirectly into the POTW, can contribute to line blockages and/or spills in violation of Title 40, Code of Federal Regulations 40 CFR, Part 403, as it may be amended from time to time.

(1) Any customer which operates a Food Service Establishment or Mobile Food Unit licensed by the state of Iowa, and which is connected to the City's Treatment Works, shall be subject to the FOG Control Program.

(2) Any costs for compliance with the regulations set forth in the FOG Control Program shall be the responsibility of the customer.

(3) FSEs subject to the FOG Control Program may apply for exemption from the Restaurant Surcharge. Exemptions shall utilize evidence gathered in the preceding six (6) month period to determine whether an FSE is exempt from the Restaurant Surcharge for sewer bills mailed during the following six (6) month period. Exemption periods shall be from January to June and from July to December.

(4) The use of any additive into a grease interceptor, grease trap, or other on-premise plumbing for the purpose of "treating" FOG shall be prohibited unless prior approval is granted by the Director of Water and Pollution Control.

(a) FSE's who wish to use any additives must submit a request in writing. Each site wishing to use a product must obtain separate approval. Approval is not granted to use any product unless and until written approval is granted by the City.

(b) A Safety Data Sheet (SDS) must be submitted to the Director for approval of the product. The SDS, or other information submitted, must identify all active and inactive ingredients of the products. Materials that include "confidential" or "proprietary" components will not be approved.

(c) To be approved, products must be composed of non-emulsifying active biological additives designed to decompose the grease in the grease trap or grease interceptor.

(i) Products that serve to simply "disperse" FOG, or that act by allowing FOG to be more easily discharged from FOG control devices will not be approved.

(ii) Examples of products that are not approved are those that include, but are not limited to, the following types of components:

(a) Enzymes

(b) Solvents

(c) Surfactants

(d) Dispersants

(e) Other products that act on grease "chemically" as opposed to "biologically"

(f) Other components that are deemed to be otherwise incompatible with the purpose of the FOG control program or the municipal sewerage system as described in Section 28.306.

(d) Approval of a product may be revoked by the Director if pass-through of FOG or other problems in the collection system of treatment plant occurs.

(e) Aeration, agitation, or stirring of grease traps or grease interceptors shall not occur at any time.

(f) Approval of any additive shall not be construed as approval to modify any plumbing. Any changes or modifications necessary shall be conditioned upon receipt of a plumbing permit from the City.

(g) Approval of any additive shall not be construed as an endorsement by the City of the effectiveness of the product. The FSE assumes all responsibility for the performance and effectiveness of the product.

(h) Servicing frequencies for grease control equipment must still comply with the other requirements of this ordinance.

(i) Should the make-up or composition of any approved product change, a new approval must be granted by the Director.

(5) The Director of Water and Pollution Control, or designee, may exempt an FSE from the Restaurant Surcharge/Restaurant Fee for a six (6) month period if one of the following criteria is met during the preceding six (6) month period:

(a) Submission of records of grease interceptor cleanings occurring in the previous six (6) months. If a grease interceptor is not cleaned during the previous six (6) months, the reason(s) for this must be submitted to and approved by the Director of Water and Pollution Control or designee. Such records shall include the following information:

(i) The name and employer of the individual performing the grease interceptor cleaning(s).

(ii) The date(s) on which grease was removed from each grease interceptor controlled by the customer.

(iii) The quantity of grease removed during each cleaning.

(a) In the case of a gravity-flow grease interceptor, the quantity of grease shall be calculated by comparing the depth of the floating fats, oils, and grease, plus the depth of the accumulated solids, and dividing that depth by the total depth of the unit (the design liquid level), expressed as a percentage. The measurements shall be taken in the compartment nearest the inlet of a multi-compartment grease interceptor and in the first interceptor when more than one interceptor is installed in series. In instances where an interceptor requires cleaning multiple times during the six (6) month review period, records shall be submitted for each cleanout. The owner or operator of the FSE shall require the grease interceptor to be cleaned when FOG and solids reach 25% or less of the design liquid level of the grease interceptor. When multiple cleanouts are required during a review period, the level of FOG and solids from each cleanout shall average 25% or less and no single instance shall equal or exceed 35%.

(b) In the case of a hydromechanical grease interceptor, the quantity of grease shall be calculated by comparing the depth of the floating fats, oils, and grease, plus the depth of the accumulated solids, and dividing that depth by the total depth of the unit (the design liquid level), expressed as a percentage. The measurements shall be taken in the compartment nearest the inlet of a multi-compartment grease interceptor. In instances where an interceptor requires cleaning multiple times during the six (6) month review period, records shall be submitted for each cleanout. The owner or operator of the FSE shall require the grease interceptor to be cleaned when FOG and solids reach 25% or less of the design liquid level of the grease interceptor. When multiple cleanouts are required during a review period, the level of FOG and solids from each cleanout shall average 25% or less and no single instance shall equal or exceed 35%. In situations where a hydromechanical grease interceptor is not able to be measured prior to cleanout, it shall be required that the interceptor be cleaned on a monthly basis.

(iv) Verification that the place of disposal of hauled grease is a facility designed for such a purpose and is licensed or certified in accordance with local, state, and federal regulations, as appropriate.

(v) Verification that the method of transporting hauled grease is appropriate for such a purpose and complies with local, state, and federal regulations, as appropriate.

(vi) Verification that any grease interceptor from which grease is removed is inspected and found to be in proper working order. This inspection shall include verification that the sanitary “tees” on the inlet and outlet sides of the grease interceptor are not obstructed, loose, or missing, verification that any baffles are secure and in place, verification that no cracks or defects in the tank are present, and verification that lids are securely and properly seated following completion of the cleaning. If any component of the grease interceptor is not in proper working order, records shall indicate what defect(s) exist and when, how, and by whom such defect(s) are remedied.

(b) Submission of a laboratory test to determine the oil and grease content of typical wastewater discharge. Such tests shall be conducted by a laboratory certified by the State of Iowa to test oil and grease under the procedures specified in Chapter 567.83 of the Iowa Administrative Code. Laboratory tests shall conform to the following conditions:

(i) The sample shall be obtained by use of a “grab sampling” method, in which the sample flask is held under a free-flowing outfall of water from a sampling port designed for such uses.

(ii) Staff of the Water Pollution Control Department shall select the date and time during which a sample may be obtained, the timing of which shall be selected to coincide with a peak customer demand.

(iii) The sample shall not exceed 300 mg/L oil and grease.

(c) Submission of kitchen Best Management Practices records that detail the grease control activities in the FSE. Such records shall be spot-checked for compliance by the Water and Pollution Control Department staff. The records shall at all times be kept and maintained on a day-to-day basis, and records shall be kept secure at the premises of the FSE for a continuous period of at least three years. The records shall document the following activities:

(i) Each cleaning of the FSE’s grease interceptor(s). The FSE shall be required to meet the same requirements as are defined in Sec. 28.308(5)(a).

(ii) Training held for the FSE's staff regarding practices that will reduce the introduction of FOG into the sanitary sewer.

(iii) Self-inspection for presence and proper use of drain screens, clean and grease-free nature of exhaust hood equipment, and presence of spill clean-up kits, warning signage over sinks regarding FOG practices, and informational posters regarding FOG.

(iv) Records of the date, time, quantity, and location of introduction of any additive. A copy of the approval granted by the Water and Pollution Control Department shall be kept with the logbook.

(v) Any other activities undertaken by the FSE's staff to prevent or mitigate the introduction of FOG into the Treatment Works or into the environment.

(6) (a) Cleaning of a hydromechanical grease interceptor may be performed by food service establishment staff. Documentation of any cleaning must include all information required for compliance with the FOG Control Program.

(b) Cleaning of a gravity-flow grease interceptor must be performed by a contractor that specializes in the disposal of restaurant grease.

(7) The Director of Water and Pollution Control may, upon finding evidence of accumulated FOG in the Treatment Works, authorize an inspection of any FSE that may reasonably be believed to have introduced that accumulation of FOG. Such inspection may occur at any reasonable time and without prior notification. Inspections shall be limited to the equipment and practices related to the introduction of FOG and waste water into the Treatment Works. The FSE shall allow the individual performing this inspection, bearing proper credentials and identification, to enter upon or into the building, facility, or property housing the FSE for the purpose of inspection, observation, measurement, sampling, testing, or record review. Upon request of the individual performing the inspection, the FSE shall open any grease interceptor for the purpose of confirming that maintenance frequency is appropriate, that all necessary parts of the installation are in place, and that all grease interceptors and related equipment and piping are maintained in efficient operating condition. Inspections may be undertaken as many times as necessary to identify the source of FOG entering the Treatment Works.

Section Two. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Appendix Q, High-Strength Surcharge Rates and Restaurant Surcharge and enacting a new Appendix Q, High-Strength Surcharge Rates and Restaurant Surcharge as follows:

High-Strength Surcharge Rates

<u>Parameter</u>	<u>Surcharge Rate</u>
Oxygen Demand	
CBOD ₅	\$0.41/lb.
COD	\$0.15/lb.
Nitrogen	
NH ₃ -N	\$1.44/lb.
TKN	\$0.93/lb.
Solids	
TSS	\$0.60/lb.
Fats, Oils, and Grease	
Oil and Grease	\$0.84/lb.

Restaurant Surcharge

Restaurant surcharge on sewer use for customers operating Food Service Establishments

\$2.54/100 cubic ft.

Restaurant Fee

Restaurant fee for sewer use for customers operating Food Service Establishment which are not billed for sewer usage or whose sewer usage is not representative of the facilities food service activities.

\$75.00/month.”

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

Staff Report

WELCH AVENUE BICYCLE/PEDESTRIAN PILOT PROJECT

May 24, 2016

BACKGROUND:

During 2014 the City Council directed staff to identify methods to reduce pedestrian/bicycle and bicycle/car collisions in the area near Welch Avenue and Lincoln Way. Working together, City staff, Campustown Action Association (CAA) representatives and students from Iowa State University identified a number of alternatives that would address these issues. These alternatives included converting parking space to bike lanes along Lincoln Way, developing improved wayfinding signage, evaluating fees to encourage parking in the Intermodal Facility rather than on streets, evaluating how bicycle infrastructure connects to the ISU campus, and implementing educational efforts regarding road user rights and responsibilities.

Business owners adjacent Lincoln Way were not supportive of the closure of parking spaces on Lincoln Way for the purpose of installing a bike lane. **However, at the July 22, 2014, City Council meeting, the City Council expressed an interest in seeing options for a temporary pilot project along the 100 and 200 blocks of Welch Avenue.**

Bicycling on the sidewalk along the 100-block of Welch Avenue is prohibited by ordinance due to the congestion of pedestrian traffic and street furniture. Bicyclists are expected to ride in the street. However, bicycling in the street presents the danger of bicyclists being struck by the opening doors of parked cars. This is possible on any stretch of roadway, but becomes even more dangerous on the downhill slope of Welch Avenue.

Along the 100 and 200 blocks of Welch, converting the parking aisle to a true bike lane is not possible on a temporary basis because the streetlights are installed in concrete bumpouts in the parking lane. Moving these streetlights would be cost-prohibitive for a temporary project. **Therefore, the alternative selected by City Council was to investigate a closure of the east-side (downhill) parking spaces in the 100- and 200- blocks.**

This two-block project would help provide a safer corridor for bicyclists who are heading north towards the ISU campus. Additionally, the closure of the parking spaces would create an extended area of the sidewalk to use for pedestrian passing; street furniture such as bike racks, trash cans, and benches; and offset sidewalk cafes (where the café is situated closer to the street than the building) for adjacent businesses.

The City Council should note that the delay in implementing this pilot project is due to a desire to wait until completion of the Kingland construction project before moving ahead with any further alteration to the streetscape. Now that the parking facility portion of that project has been completed, now is an appropriate time to determine how to proceed.

PARKING CLOSURE METHODS:

There are eight parking spaces on the east side of the 100 block of Welch Avenue and six parking spaces on the east side of the 200 block of Welch Avenue. Following the last discussion with the City Council, City staff discussed alternatives to accomplish this closure with the Campustown Action Association (CAA).

1) Paint Striping

This alternative is the lowest cost (approximately \$1,000). It would involve using the City's roadway painting equipment to paint a line along the closure and hatch the former parking spaces. This option provides no physical barrier to keep vehicles out of the closed area.

2) Tubular Barrier

The tubular barrier would consist of a series of semi-rigid plastic tubes attached to the pavement to more clearly delineate a closure. This barrier provides a greater visual indication to motorists that vehicles should not enter the area, but the tubes would not provide physical protection to a vehicle that crosses over them. This alternative is estimated to cost \$11,000.

3) Concrete Jersey Barrier

Jersey barriers would provide a substantial amount of physical protection between vehicles and pedestrians, and can be bolted to the pavement to prevent tipping. Using Jersey barriers is estimated to cost \$20,000. Each barrier could be re-used elsewhere upon conclusion of the project.

4) Concrete Planters

Concrete planters would provide a similar level of protection as Jersey barriers, and can also be bolted to the pavement to prevent tipping. These planters could also be re-purposed elsewhere in the City upon conclusion of the test. Planters have a higher aesthetic value, but require additional maintenance to keep the plants growing. Planters are the highest cost alternative. The estimated cost for basic concrete planters is \$20,000. City staff estimates basic plantings can be installed for an additional \$2,000.

To create the parking closure, 31 planters ranging in size from 2'x2' to 2'x4' would be arranged along the line created by the existing streetlight bump-outs. This would leave a vehicle lane width of at least 13 feet, which is wide enough for transit buses and other large vehicles. The planters would be spaced apart enough to allow

pedestrians to move between them, but would not allow a vehicle to enter the closed lane.

Superimposed on the attached aerial photographs are depictions of the approximate locations where these planters could be located.

Regardless of the method of the closure, sharrows would be marked both northbound and southbound on the pavement along the 100 and 200 blocks of Welch Avenue. City staff estimates the project could be installed within 2-6 weeks, depending on the availability of materials and the closure method selected by the City Council.

FEEDBACK FROM CAMPUSTOWN ACTION ASSOCIATION:

The CAA board indicated that using the concrete Jersey barrier or plastic tubular barrier would be less desirable than using planter boxes to create the separation. The concern was that concrete and plastic barriers would intensify the “construction zone” perception of Campustown due to the various large redevelopment projects that have taken place. Instead, CAA supported using concrete planters, which offer a higher aesthetic value while still providing a vehicle/pedestrian barrier safety factor.

ADDITIONAL FEATURES:

City staff has investigated the possibility of temporarily installing street furniture, such as benches and bike racks, in the newly closed area to encourage its use. The street furniture would be bolted to the pavement to prevent it from being moved or knocked over. Installing street furniture to make the closed area more functional could be accomplished with a budget of approximately \$10,000. As with the planters, street furniture installed in this area could be repurposed elsewhere in the City upon conclusion of the project.

PROJECT EVALUATION:

The 100 block of Welch Avenue is scheduled to be reconstructed in 2020. Since this project is intended to be a temporary installation, information gathered about how bicyclists, pedestrians, and motorists use the public space will be helpful to identify any changes to the streetscape that the City Council may wish to make a part of the permanent reconstruction project.

If approved by the City Council, feedback will be gathered from CAA, businesses, and users throughout the duration of the project, which is initially proposed to last for a period of one year. If significant negative feedback is received from CAA and others, City staff will return to the City Council prior to one year to determine if the project scope should be modified or if the test should be abandoned. If positive feedback is received, City staff may return to the City Council to ask if the project duration should be extended.

NEXT STEPS:

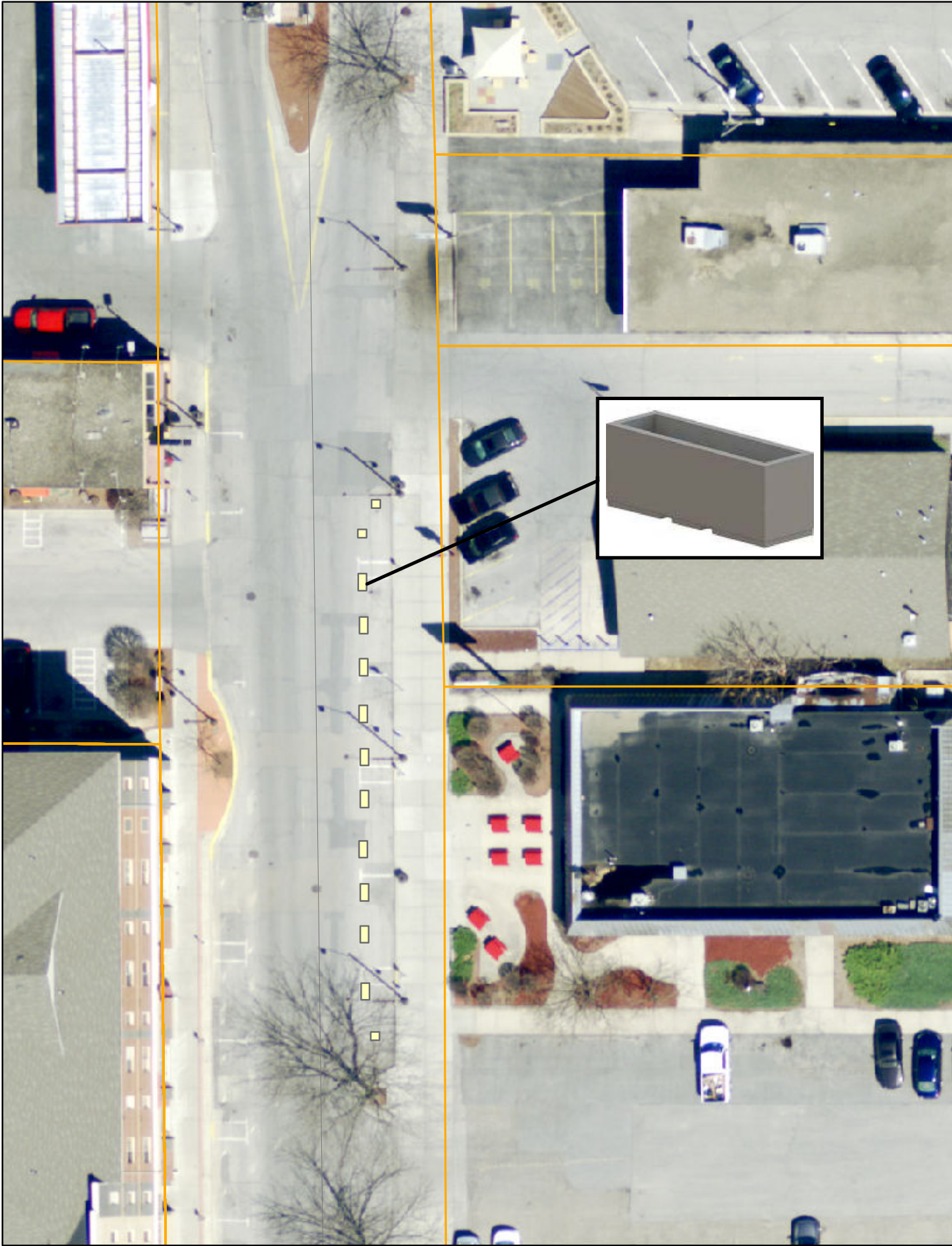
If the City Council supports proceeding with this pilot project, direction should be given to City staff regarding each of the questions below:

- 1. How should the parking closure on Welch Avenue be created?** Options include the use of paint striping, installation of tubular barriers, installation of Jersey barriers, or installation of concrete planters and plantings. Costs range from approximately \$1,000 for paint striping to \$22,000 for concrete planters with plantings.
- 2. Should the project include a budget for installation of street furniture?** City staff believes basic street furniture, including benches, tables, and a bike rack, could be installed for approximately \$10,000. This equipment may make the closed space more functional for pedestrians. At the conclusion of the project, any street furniture could be repurposed elsewhere in the City. City staff recommends that street furniture be spread out in a manner that would allow for interested businesses to install sidewalk cafes in the former parking spaces.
- 3. What source of funds should be used to complete this project?** Funding is available in the Local Option Sales Tax fund balance, the Public Works operating budget, and the Road Use Tax fund. If the City Council is interested in the lower-cost alternatives, funding from the Public Works operating budget may be appropriate. If the City Council chooses to pursue the costlier Jersey barrier or concrete planter options, using the Local Option Sales Tax fund would be more appropriate. Funds from the Road Use Tax Fund may be used, but may also limit where any purchased equipment (e.g., street furniture, planters, barriers) could be re-used in the future.
- 4. What specific information would the City Council like to see collected from this project?** If the City Council would like feedback from CAA or businesses, or if the City Council would like a more formal study of the utilization of this space, it should indicate those expectations prior to the commencement of the project. The City Council could also choose to receive a formal report regarding the outcomes of this project after a specified period of time, such as at the end of the summer or after one year. At that time, the City Council could choose whether to extend the project or to direct staff to dismantle it and convert the space back to parking.



WELCH AVENUE BICYCLE/PEDESTRIAN PILOT PROJECT





WELCH AVENUE BICYCLE/PEDESTRIAN PILOT PROJECT



ITEM #: 45
DATE: 05-24-16

COUNCIL ACTION FORM

SUBJECT: **PRELIMINARY PLAT FOR CRANE FARM SUBDIVISION
(896 500TH AVENUE)**

BACKGROUND:

Pinnacle Properties LLC representing the property owners of 896 S 500th Avenue request approval of a Preliminary Plat subdividing a 52.36 acre site. The property is located at the west end of Mortensen Road and north of Highway 30, east of South 500th Avenue. The City Council approved a rezoning request from Agricultural (A) zoning to Suburban Residential Low Density (FS-RL) and Suburban Residential Medium Density (FS-RM) with a Master Plan on April 26, 2016. (*See Attachment B – Master Plan*).

Currently there is one Agricultural zoned lot that makes up the area of the proposed Preliminary Plat. The City approved a rezoning request from Agricultural (A) to Suburban Residential Low Density (FS-RL) and Suburban Residential Medium Density (FS-RM) with a Master Plan on April 26, 2016. (*See Attachment B – Master Plan*).

The proposed Preliminary Plat (*See Attachment C*) includes 50 lots for single-family detached homes, 4 lots for single family attached homes, 3 large lots for apartment development and three additional outlots for open space and storm water detention. The single family detached lots will have access from Rowling Drive, Wilder Boulevard and Bradbury Court. The single family attached homes will have access from Lawrence Avenue and the apartment buildings from Mortensen Road. There is a generally consistent size range in the single family lot areas from .2 acres to .5 acres in size in the FS-RL portion and a size range of 7.4 to 8.8 acres in size in the FS-RM portion. All lots meet minimum size requirements and frontage requirements for the FS-RL and FS-RM zoning districts. Additionally, there will be a path connection from Rowling Drive south to Mortensen Road along lots 35 and 36 thru Outlot A.

Three outlots in the proposed subdivision total 5.25 acres. Outlots A and C, which include 4.59 acres, will function as open space, utility easement areas and part of the storm water system. Outlot B is a parcel of land that will function as only open space and utility easement area.

The rezoning of the site in April 2016, included a Master Plan (*See Attachment B - Master Plan*) defining the general arrangement of uses and conditions for development of the site. The Preliminary Plat must be found to conform to the Master Plan land use descriptions.

Staff finds that the Preliminary Plat is consistent with the approved Master Plan proposed layout, proposed uses, and use types. Due to the arrangement of outlots within the proposed subdivision, the project meets the minimum density requirement at 3.83 units per acre and provides for 10% of the site as required open space.

The primary design issues for the preliminary plat are the allowances for through lots and street block length as they related to adjacent properties and Mortenson Road as a minor arterial street. There are additional transportation issues for transit improvements both in the short term and long term, as well as a need for long term transportation improvements for the future connection and improvements at Lincoln Way and 500th Avenue.

Cy-Ride has an interest in relocation of the bus turnaround at Miller Avenue further west into the subject property. Cy-Ride has stated they will not continue to operate the Purple Line along Mortenson without a satisfactory turnaround once two-way traffic begins on Mortenson. The bus turnaround is typically a Cy-Ride or developer obligation and is not part of city infrastructure; however, the City has an interest in facilitating the relocation of the turnaround and has reviewed various options with the developer and Cy-Ride to meet this interest. Staff has a condition included with the preliminary plat that identifies that a bus turnaround may be accommodated within an outlot of the project, but its improvement is not a city cost. The intent is for permanent turnaround to be constructed at the end of Mortenson, similar to the California/Ontario turnaround. It should be noted that the developers have indicated a willingness to construct the bus turnaround at their cost as part of a development agreement.

The traffic study identifies that future operations of Lincoln Way and 500th Avenue require the provision of a number of lane improvements. The recommendations of the traffic study are for the City to be responsible for four lanes of improvements and for four additional lane improvements related to the development of the site and extension of Mortenson. These improvements are projected to be needed in the mid-term of the current LRTP, which staff estimates as the year 2030. A condition is included in this report for the developer to contribute to the cost of lane widening with final estimates and cost estimates by the City's Municipal Engineer. The current estimate in 2016 costs is approximately \$135,000.

Planning and Zoning Commission Recommendation. On May 10, 2016 the Commission considered the Preliminary Plat for Crane Farm Subdivision. No one from the public spoke at the hearing. The Commission recommended approval of the Preliminary Plat by a vote of 7 to 0.

The proposed project is located within the Southwest I Allowable Growth Area (See Chapter 6 of the LUPP) and, therefore, is also within an Incentivized Growth Area. Per the Land Use Policy Plan, this area is eligible for a developer to request cost sharing in the "over sizing" costs related to development of the project. City Council has the discretion to participate in the over sizing costs when it determines that the

improvements are necessary to meet planning objectives of the LUPP and that is fiscally responsible. **In this situation, the developer has requested that the City share in roughly 1/3 of the cost of the construction of Mortenson Road as a Minor Arterial Street. The developer has met with staff and reviewed cost estimates for such an improvement and staff believes that the “over sizing” cost for greater width and depth of paving is approximately \$535,000.** The developer could also request the “over sizing” costs of Wilder Avenue as a residential collector street. The developer desires to enter into a development agreement prior to final platting of the first phase of the subdivision to share in the costs of “over sizing”. **The development agreement request will be brought back separately for City Council consideration prior to the approval of the Final Plat.**

ALTERNATIVES:

1. The City Council can approve the preliminary plat for Crane Farm Subdivision with the following conditions:
 - A. Provide an easement on the final plat for Outlot B that allows for development of a public bus turnaround in a design similar to that of California Avenue.
 - B. The Developer may provide for a bus turnaround on Outlot B in conjunction with the construction of Mortensen Road to the west end of the property in phase one with *adjustments of lot size on lots 25-28*.
 - C. Prior to final plat of Phase 3, the Developer shall request a waiver of frontage improvements with cash in lieu or financially secure construction of the frontage improvements along 500th Avenue (County Line Road).
 - D. Prior to final plat of Phase 1, the Developer shall provide, in a form acceptable to the City, financial security for the improvements of four turn lanes at the intersection of Lincoln Way and 500th Avenue. The final cost estimate shall be made by the City’s Municipal Engineer. The current estimate is for \$135,000 in 2016 construction costs.
 - E. Provide an easement with a minimum width of 10 feet on Outlot B for the construction of a sidewalk to the north.
2. The City Council can deny the preliminary plat for Crane Farm Subdivision
3. The City Council can defer action on this request and refer it back to City staff and/or the applicant for additional information.

MANAGER'S RECOMMENDED ACTION:

The proposed project has achieved the lot and street development requirements of the Ames Subdivision and Zoning regulations and conforms to the approved rezoning Master Plan. Further this development is in a desired location for development as part of the Southwest I Allowable Growth Area.

The construction of the bus turnaround on outlot B is necessary for Cy-Ride to continue and extend service to this area to accommodate the developer’s interest to serve their

apartment phases. The developer has agreed to shrink the size of lots 25 through 28 to enlarge outlot B to help accommodate adequate space for the bus turnaround. In the event that the developer does not construct the turnaround, the area would remain as common open space.

The project has identified infrastructure improvement costs for offsite improvements and frontage improvements that staff has added conditions to the approval of the preliminary plat. With these improvements, staff believes the project conforms to the criteria of the Subdivision Code for approval of the preliminary plat.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, and approve the preliminary plat for Crane Farm Subdivision with conditions.

It should be emphasized that, because this project is located within an Incentivized Growth Area, a development agreement outlining the financial responsibilities of the City and developer for infrastructure improvements will be finalized prior to the approval of the final plat.

ADDENDUM

Project Description. The Preliminary Plat of “Crane Farm Subdivision” includes 57 lots for development, (public street right-of-way to be dedicated to the City) and, three Outlots (Outlots A, B, C,). Outlot A (1.38 acres) is to be used as public open space and includes a storm water feature. Outlot A also includes a walking path around the perimeter of the Outlot that connects to the sidewalk and shared use path along Mortensen Road and provides cross connection to Outlot C. Outlot B (0.66 acres) is indicated as an open space with a sidewalk along the east and north perimeter of the lot and Outlot C (3.21 acres) is shown as open space with a walking path and a stormwater detention feature utilized from an existing pond on the Preliminary Plat. (See *Attachment C - Preliminary Plat*)

The main access for the development is Mortensen Road. The proposed Plat includes the construction of Lawrence Avenue, which provides access to the four single-family attached lots and one corner lot for a detached single-family home. Lawrence Avenue provides for a future access to the north as well. Lawrence Avenue is designed to allow for the north extension of the roadway without causing the current homes along Clemmons to become unintended corner lots. There will be space to allow for future single-family home lots between the existing homes and the street extension. The remaining 50 single-family lots will gain frontage and driveway access from Rowling Drive, Wilder Boulevard and Bradbury Court.

The proposed subdivision contains 10 double frontage through lots, which are located between Rowling Drive and Mortensen Road as well as Bradbury Court and Mortensen Road. The double frontage lots can be justified in this case as Mortensen is a minor arterial and as such Sec. 23.401(3)(b) allows for a reverse or double frontage style lot to separate residential development or to overcome specific challenges with regard to topography. Given the current limited layout of nearby north-south streets thereby limiting north to south access thru the subdivision to a current connection and the location of an existing large water main along the proposed route of Mortensen Road, staff deemed the double frontage lots along Rowling Drive and Bradbury Court as acceptable to provide for the most logical subdivision design.

Density. The total development area of single-family homes is 14.09 acres with lots that range in size from .12 acres to .57 acres. Density calculations have been based on net area consistent with the allowance for the FS-RL zone, by subtracting out of the gross lot area the total area to be held as Outlots and land in the subdivision that will be dedicated to the city as public street right-of-way for the proposed streets. With a total net area of 14.09 acres the net density of 54 proposed single family homes is 3.83 dwelling units per net acre. This meets the minimum required net density of 3.75 dwelling units per net acre of the FS-RL Zone.

Density cannot be calculated for the FS-RM lots as no specific project has been proposed at this time.

Public Improvements. The north portion of the FS-RL zoned site will include single-family lots fronting on Rowling Drive and Wilder Boulevard with private driveways. Bradbury Court, a small residential cul-de-sac, will serve 9 lots between Mortensen Road and Rowling Drive with private driveways. The far western portion of the site will include attached homes fronting Lawrence Avenue with private driveways. Rowling Drive and Lawrence Avenue are local residential streets with an expected low level of vehicle traffic. Wilder Boulevard is a residential collector street with an expected moderate level of traffic and only has driveway access on the east side of the street for 8 lots. Bradbury Court is a small residential cul-de-sac with an expected low amount of traffic.

Mortensen Road is a minor arterial that will provide a future connection to 500th Avenue. A future connection to 500th Avenue is anticipated thru property located to the north and west of the crane subdivision upon future annexation of said property and its development. At such time as Mortensen Road is connected to 500th Avenue, it is anticipated an additional 250 vehicles a day will utilize Mortensen Road. Therefore, at such time as Mortensen connects to 500th Avenue the City would likely require 500th Avenue to be paved from its intersection with Mortensen Road to Lincoln Way.

A Traffic Impact Study found that traffic volumes from the proposed development would result in a traffic increase. This increase in traffic results in the need for some traffic mitigation to provide for effective operations and increased safety. The study considered recommended improvements for existing conditions and planned 2040 “no build condition” compared to the “build condition” of the project in 2016 and 2040. The study found that there are no project specific impacts in the 2016 build condition beyond general recommendations from the no build scenario.

The report did conclude that a future projected traffic impact would require eventual improvements at Lincoln Way and 500th Avenue based on growth patterns of the area the development of this site. The traffic study identified that the intersection will need additional turn lanes and that it become a 4-way stop intersection to meet intended vehicular level of service standards of “C.” Given that future improvements will be needed at Lincoln Way and 500th Avenue with traffic numbers from existing and proposed Crane Farm Development traffic as well as future overall traffic projections, a development agreement is recommended for fulfilling the developer’s obligations for contributing towards costs of the future mitigation improvements. Per the recommendation of the study, the developer has been conditioned to contribute to the cost of 4 of the 8 lanes improvements needed at the intersection.

Additionally, the site has approximately 100 feet of frontage along S 500th Avenue. Although the development proposed no street access with the preliminary plat, the Subdivision Code standards require full street improvements along the frontage of a site and the developer will be responsible for said improvements or potentially provide a cash in escrow for future improvements.

Water. An existing water main transverses the site along the proposed route of Mortensen Road. The city previously constructed this water line through this site. The developer will extend service lines off of this main into the developable areas of the site.

Sanitary Sewer. A sanitary sewer main connection is available at the east end of the proposed plat along Mortensen road which will provide sanitary sewer service to the entire development. The City resolved on April 26th during the rezoning of the site that sanitary sewer capacity will be available to serve development in 2017.

Transit. Cy-Ride requires a bus turnaround location along Mortensen Road in the proposed Crane Subdivision due to the dead end nature of the street extension. The current turnaround to the east at the Miller intersection will not be appropriate once two-way traffic begins on Mortenson. Cy-Ride has indicated that without permanent solution it is unlikely that the Purple Route would continue to operate along this part of Mortenson Road.

The developer has proposed a turnaround point on the north side of Mortensen Road at the west end of the subdivision on Outlot B in conjunction with the full construction of Mortensen Road to the west end of the subdivision in phase one of the development. Staff estimates that a permanent turnaround would require roughly an 80 x 180 foot area. Lots 25 thru 28 can be reduced in size to accommodate and enlargement of outlot B. City staff has agreed to this proposal and the turnaround will be constructed at the expense of the developer. An easement or dedication of right-of-way is needed with the final plat to accommodate bus turnaround in the future.

Sidewalks, Pedestrian Trails and Street Trees. A street tree planting plan has been submitted that includes street trees planted along all proposed streets within the development. No specific landscape plan for the outlots or private rear yards along Mortenson have been proposed by the developer. Chapter 23 of the Municipal Code, requires street trees for residential subdivisions along both sides of the street at a spacing of 30-50 feet on center to allow for the growth of the tree canopy, however, adjusted spacing is permitted by the code for obstructions in the right of way including driveway locations, underground utilities, and the location of street lights. Adequate spacing is available in most areas for street tree planting on the proposed plat. Sidewalks are proposed on both sides of all proposed streets as well as a shared use path along the south side of Mortensen Road that can be accessed from the north connecting to the rest of the sidewalk network of the development.

Open Space and Pedestrian Connections. Open Space areas are proposed by the applicant for the subdivision with the creation of the two Outlots for a total of 2.04 acres of open space proposed for the development. The FS zoning requires that 10% of the gross development area be designated as common open space which is intended for usable outdoor area for the residents of the development. Outlot A will feature a sidewalk around the perimeter of the outlot that connects with Mortensen Road with access to the shared use path and sidewalks along Mortensen Road as well as cross

neighborhood access to the north to Rowling Drive. Outlot B contains sidewalk along the east perimeter of the lot. Staff would consider Outlots A and B as usable open space for the development for a total of 2.04 acres or 12% of the gross area of the development which meets the minimum requirement. The plan shows the routing of a sidewalk through Outlot B, staff recommends the routing of this sidewalk be determined at a later date, but that an easement is in place to ensure that it connects to the north in the future. Staff prefers that an easement Outlot C is accessible for the residents of the single family home FS-RL portion of the development. but is not included in the total open area calculation as Outlot C is located in the FS-RM zone.

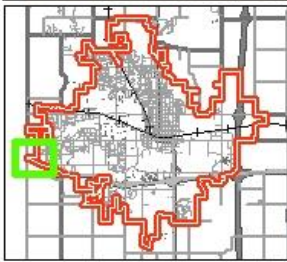
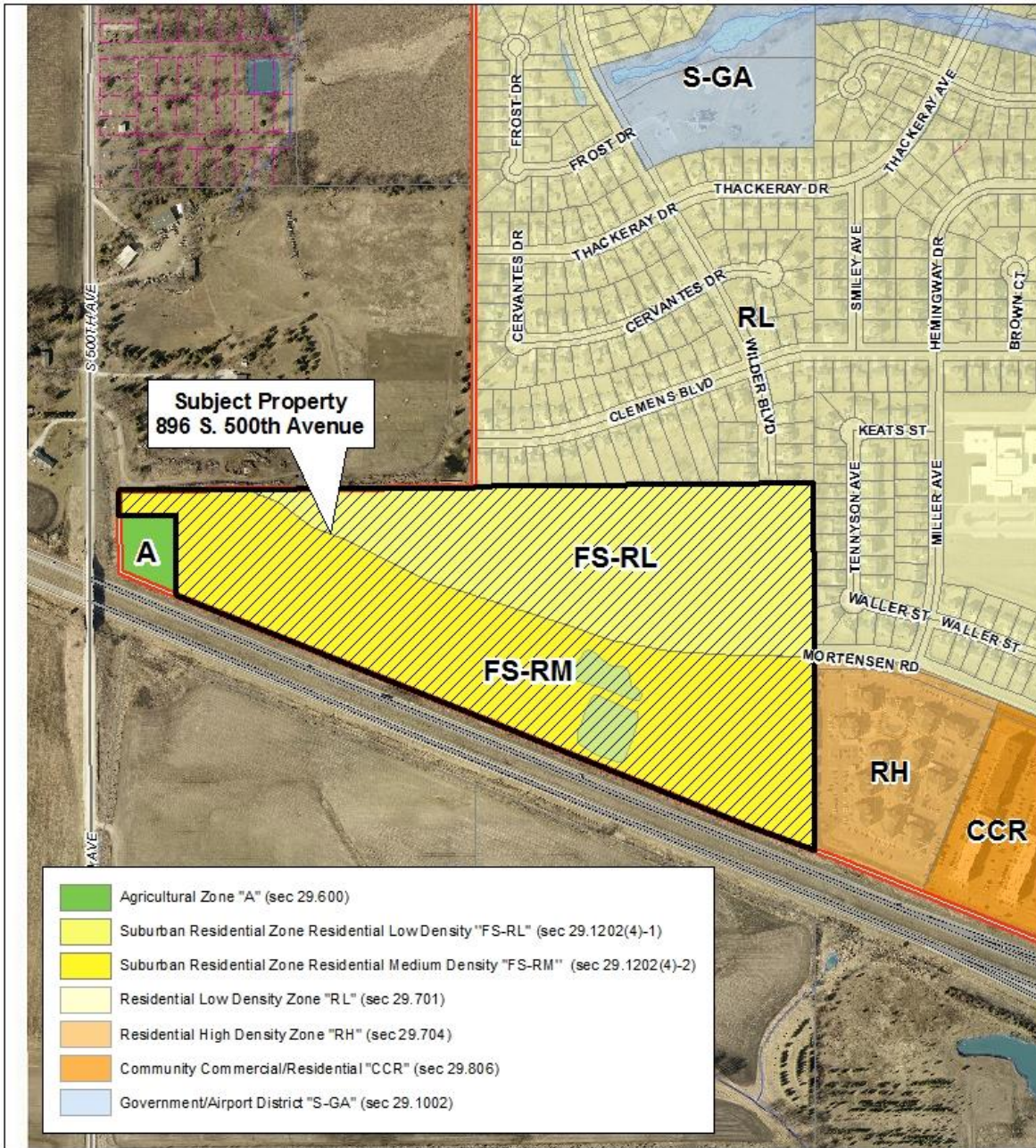
A residential sidewalk is planned for the area along the property lines of Lot 36 and 37 within a 10-foot pedestrian access easement from Outlot A north to Rowling Drive with a cross connection to the north side of Rowling Drive located just east of the location where the sidewalk intersects with Rowling Drive.

Storm Water Management. The Public Works Department has reviewed the submitted Storm Water Management Plan for this subdivision and has determined that the storm water detention as proposed will be sufficient for the projected needs of the development. The stormwater from the proposed development area will be handled via three separate wet detention basins located on Outlot A, Outlot C and on the southeast corner of Lot 55.

Applicable Law. Laws pertinent to the proposal are described on *Attachment D – Applicable Law*. Pertinent for the Planning and Zoning Commission are Sections 23.302(3) and 23.302(4).

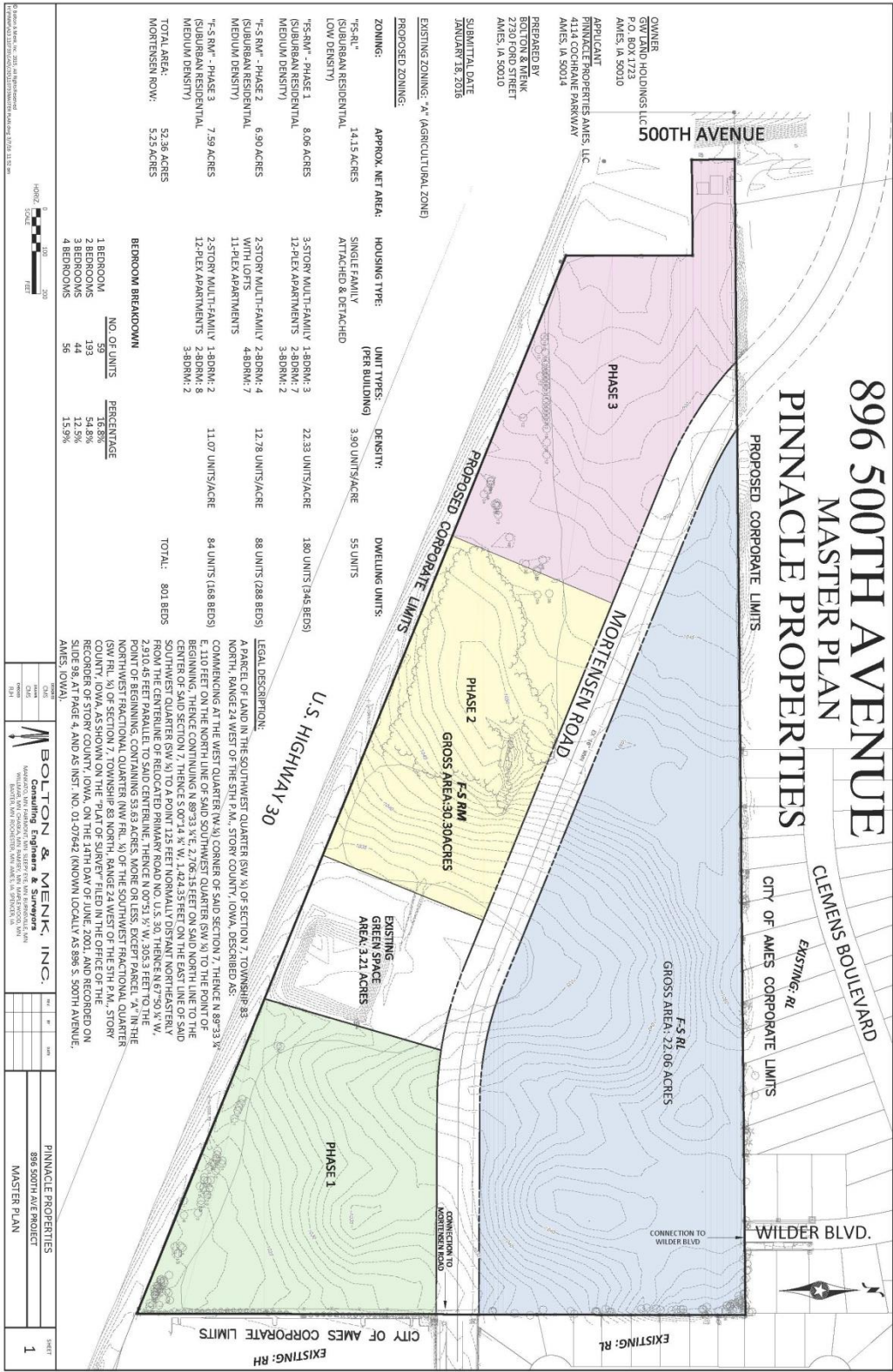
Public Notice. Notice was mailed to property owners within 200 feet of the subject site and a sign was posted on the subject property. As of this writing, no comments have been received.

Attachment A: Location and Current Zoning

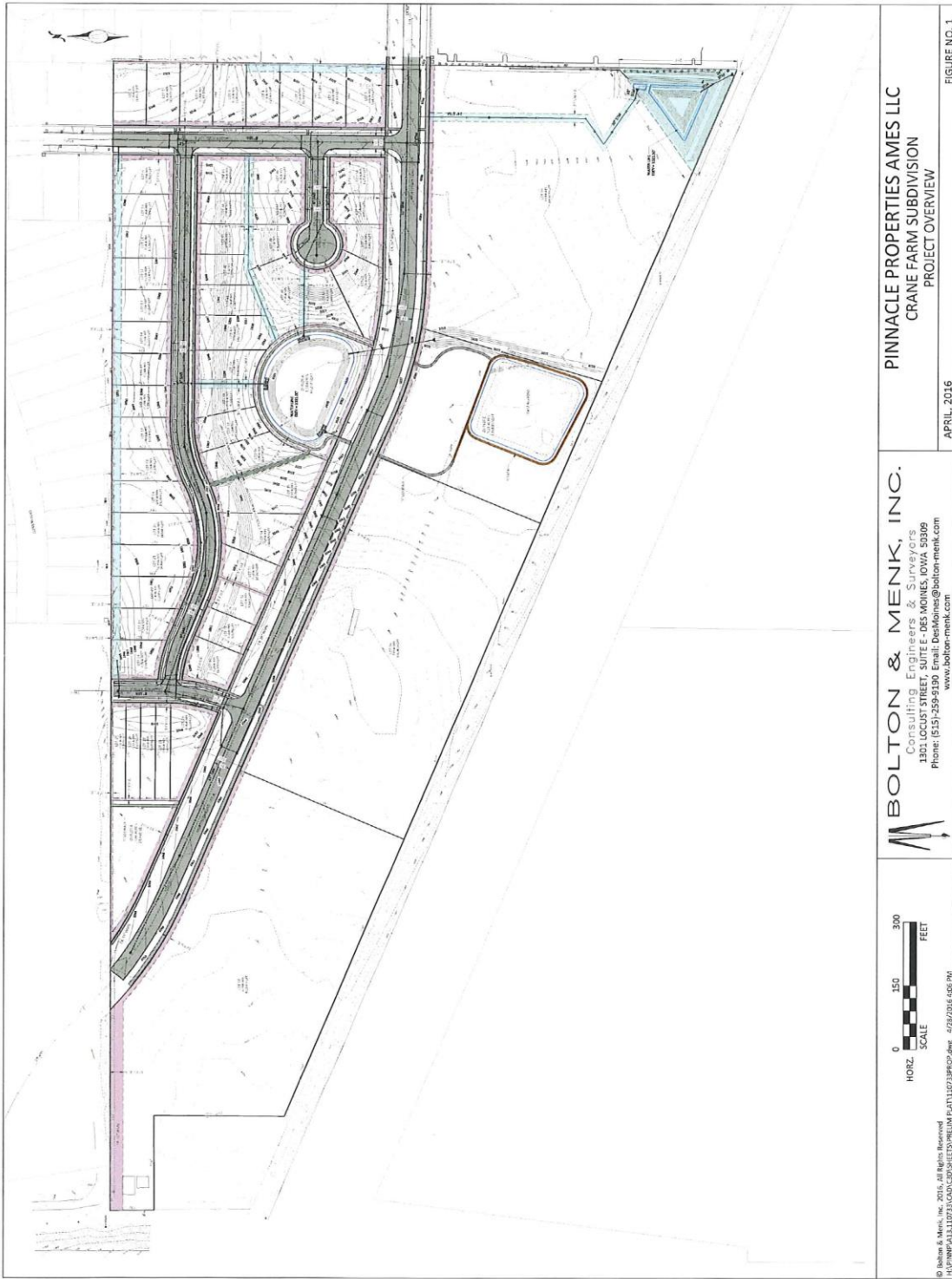


Proposed Zoning Map 896 S. 500th Avenue

Attachment B: Master Plan



Attachment C: Preliminary Plat



Attachment D: Applicable Subdivision Law

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

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

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

Ames Municipal Code Section 23.302(3):

(3) *Planning and Zoning Commission Review:*

- (a) *The Planning and Zoning Commission shall examine the Preliminary Plat, any comments, recommendations or reports assembled or made by the Department of Planning and Housing, and such other information as it deems necessary or desirable to consider.*
- (b) *Based upon such examination, the Planning and Zoning Commission shall ascertain whether the Preliminary Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan, and to the City's other duly adopted Plans.*

Ames Municipal Code Section 23.302(4):

- (4) *Planning and Zoning Commission Recommendation: Following such examination and within 30 days of the regular meeting of the Planning and Zoning Commission at which a complete Application is first formally received for consideration, the Planning and Zoning Commission shall forward a report including its recommendation to the City Council. The Planning and Zoning Commission shall set forth its reasons for any recommendation to disapprove or to modify any Preliminary Plat in its report to the City Council and shall provide a written copy of such reasons to the developer.*

COUNCIL ACTION FORM

SUBJECT: SETTING OF PUBLIC HEARING FOR GRANTING OF ACCESS EASEMENT ACROSS CITY PROPERTY OF PARKING LOT X (WELCH PARKING LOT) TO BENEFIT 122 HAYWARD AVENUE

BACKGROUND:

Dean Jensen is the owner of two properties proposed to be merged for redevelopment as 122 Hayward Avenue into a new mixed-use student housing development. The developer has requested that the City Council grant a perpetual access easement for the benefit of the development at 122 Hayward through the City's parking area to the west of Welch Avenue. (Attachment A Location Map) City Council first reviewed this request on April 26 and gave direction to the City Attorney to draft an easement granting access rights across City property. However, the easement language was to be as general as possible about providing for access, but not in manner that delineates a precise route for access so as to not limit future use of the property by the City.

Under state law, when a City grants the use of public property for a term exceeding three years, it requires a public hearing on the matter prior to approval of an agreement for the use of City property. To approve the easement, there must first be a noticed public hearing. **The Council has two options to proceed on scheduling a public hearing. The first is to set the date of hearing at the next regularly scheduled meeting of June 14. The second option is hold a special meeting to allow for the easement to be approved sooner than the 14. The earliest special meeting date that could meet notice requirements is May 31.**

The property owner cannot proceed with approval of the minor site plan for their project until Council has approved the access easement. The developer is urging the Council to establish a special meeting date in advance of June 14 to ensure that they can stay on schedule for construction of the project.

ALTERNATIVES:

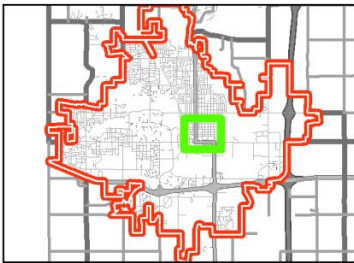
1. The City Council can set as date of public hearing for granting of an access easement through Parking Lot X on June 14, 2016.
2. The City Council can set a date of public hearing for granting of an access easement though Parking Lot X at a special meeting date determined by the Council, but no sooner than May 31, 2016.

3. The City Council can decline to set a public hearing date for granting of the easement and choose to not proceed with granting of an easement.

MANAGER'S RECOMMENDED ACTION:

The City Attorney is currently drafting an easement that reflects the intent of the City Council from April 26 to grant access through City property, but in manner that limits future City obligations. Staff believes the draft will be completed and distributed to City Council early next week. In addition to the City granting an easement, Council requested that the property owner provide an access easement to the City along the north boundary of their property to allow for the potential widening of the route to Hayward to a two-way access. To approve the proposed easement for access through City property a noticed public hearing must occur. **Assuming the City Council is satisfied with the proposed easement, the City Manager recommends that the City Council set a public hearing date as described in either Alternative #1 or Alternative #2.**

Attachment A Location Map



Location Map

COUNCIL ACTION FORM

SUBJECT: 321 STATE (FORMER MIDDLE SCHOOL) OPTIONS FOR DEVELOPMENT WORKSHOP

BACKGROUND:

The Planning and Housing Department is preparing for the June 21, 2016 workshop on development options for 10-acre parcel at 321 State Avenue (the old Middle School site). Staff will review a number of issues at the workshop that include site opportunities/constraints, potential development costs, process for development, and possible housing types.

City Council first began to consider acquiring 321 State Avenue in 2015 with the intent of creating affordable homeownership opportunities. The site is zoned Residential Low Density (R-L), which allows for the development of standard sized lots and detached single-family homes on individual lots. Staff estimates that approximately 40 single-family homes could be developed on the site, of which a minimum of 51% would need to be affordable to low income households (80% of Average Median Income), assuming the City receives approval of a Neighborhood Revitalization Strategy Area designation from HUD.

The Planning and Housing Department is interested in exploring housing options before the workshop that could expand the housing choices beyond what is currently permitted by the R-L zoning. Staff believes mixing housing types has merit by potentially helping to meet the low income housing requirements and to provide for housing options that are not commonly built in Ames. Staff would like to explore options that consist of approximately 20 detached single-family homes and 20 multi-family structures built as townhomes, duplexes, and 3 and 4-plexes. Within a framework of mixed housing types, there would be variety of options to lay out the development of the site and integrate it with its surroundings. However, a mixed development would require future adjustments to the zoning to consider different building types and site design options as compared to building exclusively single-family detached homes as are permitted by the current R-L zoning.

A variety of housing choices assists in meeting the low income housing obligations in two ways. The first is that by creating a variety of building types there could potentially be lower price points for sale or for rental, which could broaden the availability of homes to low income households. Another primary benefit would be to widen the developer pool and potentially have access to more funding opportunities to assist in the development of affordable housing on the site. Staff has been approached by affordable housing developers that are interested in projects that would be eligible for Low Income Housing Tax Credits (LIHTC). LIHTC typically applies to multi-family developments and is a competitive grant program administered by the Iowa Finance Authority. Staff has mentioned that the City controls 321 State Avenue and that it was purchased with the intent of creating affordable homeownership, but that configurations

of smaller rental buildings could potentially be integrated into the site. Developers with previous experience of developing similar mixed housing types have shown some interest in this concept.

As staff continues to explore development options for the property, we will also meet with the Old Ames Middle School and College Creek neighborhood association to discuss their interests for the development of the property. Staff intends to meet with these groups prior to the Council workshop to understand their priorities for the neighborhood and be prepared to discuss issues with the City Council on June 21st.

ALTERNATIVES:

1. Motion to direct staff to explore a wide range of home ownership and rental housing types and report back to the City Council at the June 21st workshop.
2. Motion to direct staff to explore only homeownership opportunities configured as detached single-family homes and attached single-family homes and report back to the City Council at the June 21st workshop.
3. Motion to direct staff to explore only the development of single-family detached homes on individual lots consistent with the current R-L zoning.

CITY MANAGER'S RECOMMENDED ACTION:

The Planning and Housing Department believes exploring a wide range of housing options is desirable to meet multiple affordable housing goals of the City. Additionally, staff wants to investigate the potential layout of homes and their interface with the neighborhood and how different housing types can impact the financial feasibility of the project.

At this time City Council is making no commitment to develop a specific housing type, but only to investigate options. At the June 21st workshop, staff will need direction on Council's interests about the type of housing that could be built on the property as well as the process of partnering with a master developer or developing a subdivision as a City initiative. Exploring housing options in advance of the June 21st meeting will help to inform the City Council on some of the options of how to proceed.

Therefore, it is the Recommendation of the City Manager to direct staff to proceed with Alternative #1, which is to explore a wide range of rental and homeownership housing types for 321 State Avenue and report back to the City Council on June 21st. However, if City Council doesn't believe it has an interest in development that is not traditional single-family detached homes, it should direct staff not to explore other housing options to help preserve staff resources and time.

ITEM #: 48
DATE: 05-24-16

COUNCIL ACTION FORM

SUBJECT: PRELIMINARY PLAT FOR SUNSET RIDGE SUBDIVISION, 7th ADDITION (125 AND 130 WILDER AVENUE)

BACKGROUND:

Hunziker Land Development, LLC is requesting approval of a Preliminary Plat for the Sunset Ridge Subdivision to plat 40 residential townhome lots. The property was rezoned to Planned Residential Development (PRD) with the concurrent approval of a Major Site Development Plan for two parcels to allow for the construction of a 40 unit townhome development in 2015. The Major Site Development Plan was approved with the condition that approval of a preliminary and final plat be required for creation of the individual single family attached residential lots. The subject site at 125 and 130 Wilder Avenue in Sunset Ridge is currently two lots and totals 6.81 acres. (*See Attachment A Location and Existing Zoning Map*) The site abuts single-family homes to the north and east, Lincoln Way to the south, and Ames corporate limits to the west.

The proposed Preliminary Plat (*See Attachment B*) includes 40 single-family attached housing units configured in buildings of two and four units with two and three bedrooms. The housing design approved with the PRD is modeled after some townhome designs found on the west side of Somerset along Bristol Drive and Northridge Parkway. The building design is for a walk-up townhome with front doors oriented to public space of streets or open space with rear access to two-car garages.

There is a single point of access into each development parcel from Wilder Avenue with private street access (Wilder Place and Wilder Lane) to the individual residential lots. The private streets are contained in Outlot B and Outlot C. Each lot will have a two stall detached garage as well as parking on the driveways. A small overflow parking lot is provided at the end of each private street, which will also serve as the required fire truck turnaround area. The units will have front entries facing Wilder Avenue for the interior row of units and facing the open space areas to the west and east of the development for the outer rows of units. All garage access will be off of the private streets interior to the development. The proposed grading of the site and design of the utilities generally conforms to the original Major Site Development plan approvals.

Planning and Zoning Commission Recommendation: On May 4, 2016 the Planning and Zoning Commission considered the Preliminary Plat for Sunset Ridge Subdivision, 7th Addition. No one from the public spoke at the hearing. The Commission recommended approval of the Preliminary Plat by a vote of 5 to 0.

ALTERNATIVES:

1. The City Council can approve the preliminary plat for Sunset Ridge Subdivision 7th Addition.
2. The City Council deny the preliminary plat for Sunset Ridge Subdivision.
3. The City Council can defer action on this request and refer it back to City staff and/or the applicant for additional information.

MANAGER'S RECOMMENDED ACTION:

The proposed project has achieved the lot development requirements of the Ames Subdivision and Zoning regulations and conforms to the previously approved Planned Residential Development Plan and Major Site Development Plan for the proposed development. **Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1 and approve the preliminary plat for Sunset Ridge Subdivision 7th Addition.**

ADDENDUM

Project Description.

The project site is two lots totaling 6.81 acres fronting on Lincoln Way and Wilder Avenue. The project includes 40 single-family attached residential units with detached garages on individual ownership lots. The units will face Wilder Avenue and the open spaces area to the west and east side of the development. The lots will be accessed from Wilder Avenue on two private dead end streets with parking and fire turn around areas at the end of each private street. The units are proposed as two-story townhomes, with partially finished basements.

The development includes two building types, a four unit attached building and a two unit attached building. Each of the four unit and each of the two unit buildings will be the same in design, with each unit in the building having an individual façade design breaking up the mass of the overall building. Each unit is proposed with a foot print of approximately 25' by 31 feet in dimension and contain approximately 1,800 square feet of living space with additional finishable area in the basements. The PRD and Major Site Development Plat were approved in October 2015 for the design of the buildings and unit types. At that time, the units could be built under the zoning code as multiple buildings on one lot; however, the intent of the PRD was for single family attached housing units which by code require a legally platted lot for each residential unit. Therefore, the PRD was conditioned for the approval of a subdivision plan at the future date prior to occupancy of the units. Currently, two of the buildings on the western most development lot are under construction.

The Preliminary Plat includes 40 lots for development of Single-Family Attached Dwellings. Wilder Avenue is the one single main access from Lincoln Way for the development. The development includes Outlots B and D for private street connection to each of the 40 home lots to access the rear loaded garages. Outlots A and D are included on the plat an identified as public open space to meet the majority of the minimum 40% open space required for the PRD. (See *Attachment C - Preliminary Plat*).

Density calculations are based on net area consistent with a base zone of medium density, by subtracting out of the gross lot area the total area to be held as outlots for private streets and public open space. With a total net area of 2.99 acres the net density of 40 proposed single family attached homes is 13.4 dwelling units per net acre. This meets the net density range of 7.26 to 22.31 dwelling units per net acre of a medium density base zone consistent with the approved PRD and Major Site Plan.

Public Improvements. The proposed development lots will be accessed off of Wilder Avenue. The west development area will include 20 single family attached lots fronting on the west open spaces area and on Wilder Avenue with access to the lots from the private street, Wilder Place, into the rear of each of the lots for access to the rear loaded garages. The east portion of the development area will also include 20 lots fronting on Wilder Avenue and the open space to the east with rear loaded access from Wilder Lane. The open area created by Outlots A and D will be part of the development retained under the control of the homeowners association and will not become a city

responsibility for maintenance. New sewer and water connections have been installed based on the layout of the approved PRD and Major Site Development Plan for the sites.

Street Trees. A street tree planting plan has been submitted that includes street trees planted along the west and east perimeter of Wilde Avenue, and along the north perimeter of Lincoln Way. Chapter 23 of the Municipal Code, would typically require street trees for residential subdivisions along both sides of the street at a spacing of 30-50 feet on center to allow for the growth of the tree canopy. The applicant is meeting this minimum required, however with the existence of the median in the ROW for Wilder Avenue, a question was raised about the viability of the existing median trees with the proposed new streets trees along Wilder Avenue. Therefore, staff feels it is acceptable for the street tree plan in this situation to be adjusted in terms of number, tree type and spacing within the right-of-way along Wilder Avenue as is permitted by the spacing standards within Chapter 23. Final planting arrangements will be determined by staff based on the health of the existing trees in the median and maximizing street trees along Wilder.

Open Space, Sidewalks, and Pedestrian Connections. The proposed development will be developed according to Medium Density Residential standards for open space in a PRD, which requires a minimum of 40% of the gross area of the site to be devoted to open space. The proposed development is shown to provide the minimum 40% of the site in open space with 2.23 acres of dedicated open space through the creation of outlots A and D and another .50 acre of open space provided between the residence and garage structures and sidewalk connections contained within Outlots B and C. The highlight of the open space design is the large common open space combined with the Sunset Ridge Subdivision open space on the east side of the project. This creates a large “common green” for the area. Therefore, it is concluded that the minimum open space required for the development has been provided in the plan.

The proposed subdivision includes an 8-foot wide trail connection along the west side of Wilder Avenue to connect to the existing trail through Sunset Ridge subdivision and a 5-foot sidewalk on the east side of Wilder Avenue to connect to the existing sidewalk system. Internal sidewalks are also provided to the front entrance for each of the townhome units, as well as to connect the proposed townhomes to the existing Sunset Ridge neighborhood by two connection points north to Durant Street. There is an existing 8-foot shared use path along Lincoln Way along the frontage of Sunset Ridge.

Infrastructure and Storm Water Management.

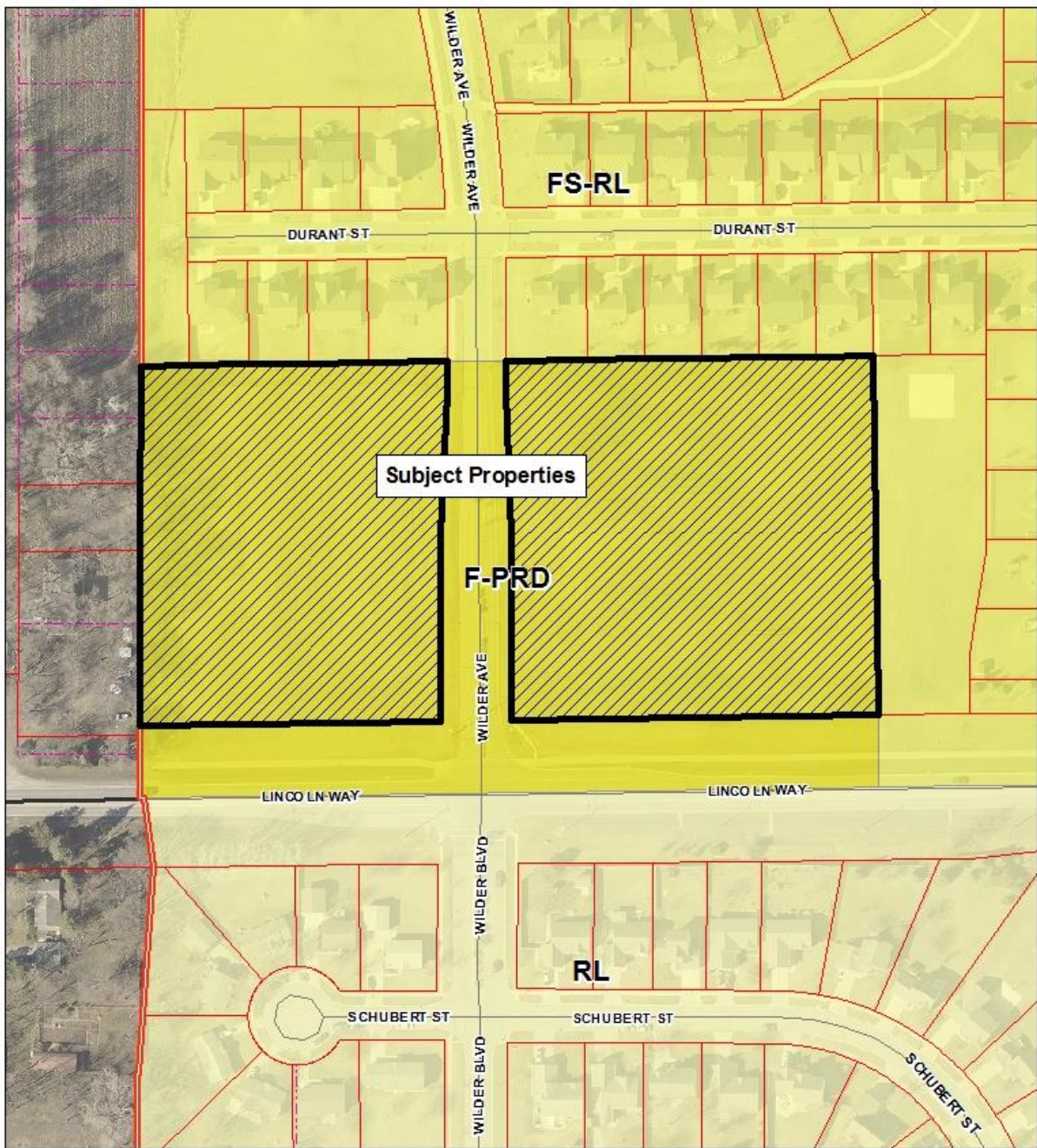
The site is fully served by City infrastructure. Sanitary sewer and water are available, as is electric services. Existing and proposed easements are shown on the Preliminary Plat as required by Public Works. All required easements will be recorded with the Final Plat for the subdivision.

The Public Works Department has reviewed the storm water management plan and finds that the proposed development can meet the required storm water quantity and quality measures.

Applicable Law. Laws pertinent to the proposal are described on *Attachment C – Applicable Law*. Pertinent for the City Council are Sections 23.302(5) and 23.302(6).

Public Notice. Notice was mailed to property owners within 200 feet of the subject site and a sign was posted on the subject property. As of this writing, no comments have been received.

Attachment A: Location and Zoning Map



Subject Properties

F-PRD

FS-RL

RL



Location and Zoning Map 125 and 130 Wilder Avenue

Attachment B, Lot Layout.

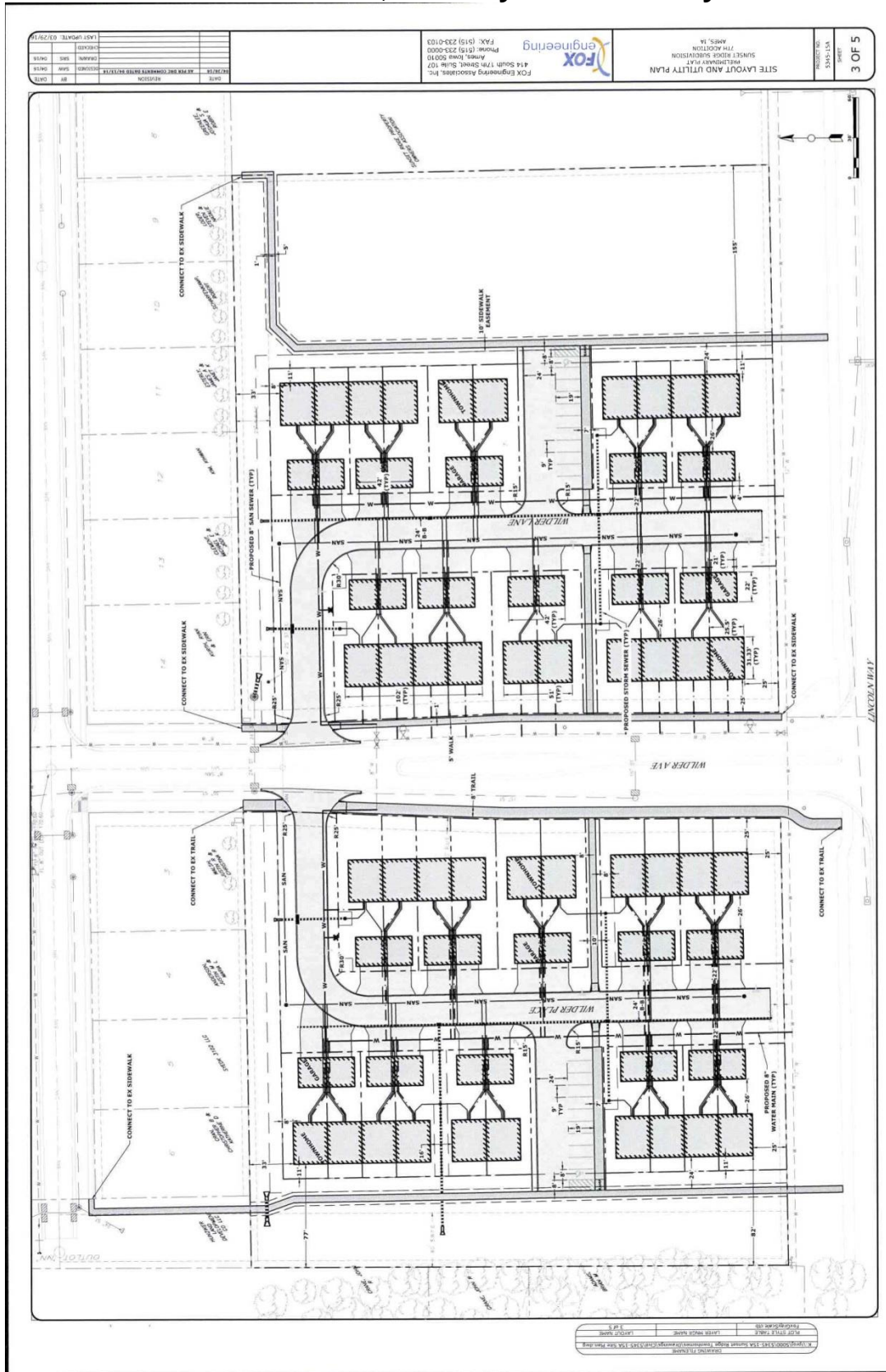
DATE	REVISION	BY	CHECKED	DATE



PROPOSED LOT LAYOUT
 RICHMOND, VA
 3750 MARKET ST.
 SUITE 1010
 ANNEX BLDG 5010
 PHOENIX, AZ 85010
 FOX Engineering Associates, Inc.
 FOX Engineering
 PHOENIX, AZ 85004
 FAX: (602) 233-0100
 FOX ENGINEERING ASSOCIATES, INC.

SHEET
 2 OF 5

Attachment B, Site Layout and Utility



NO.	REVISION	DATE
1	AS SHOWN	03/29/16

DATE: 03/29/16
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

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

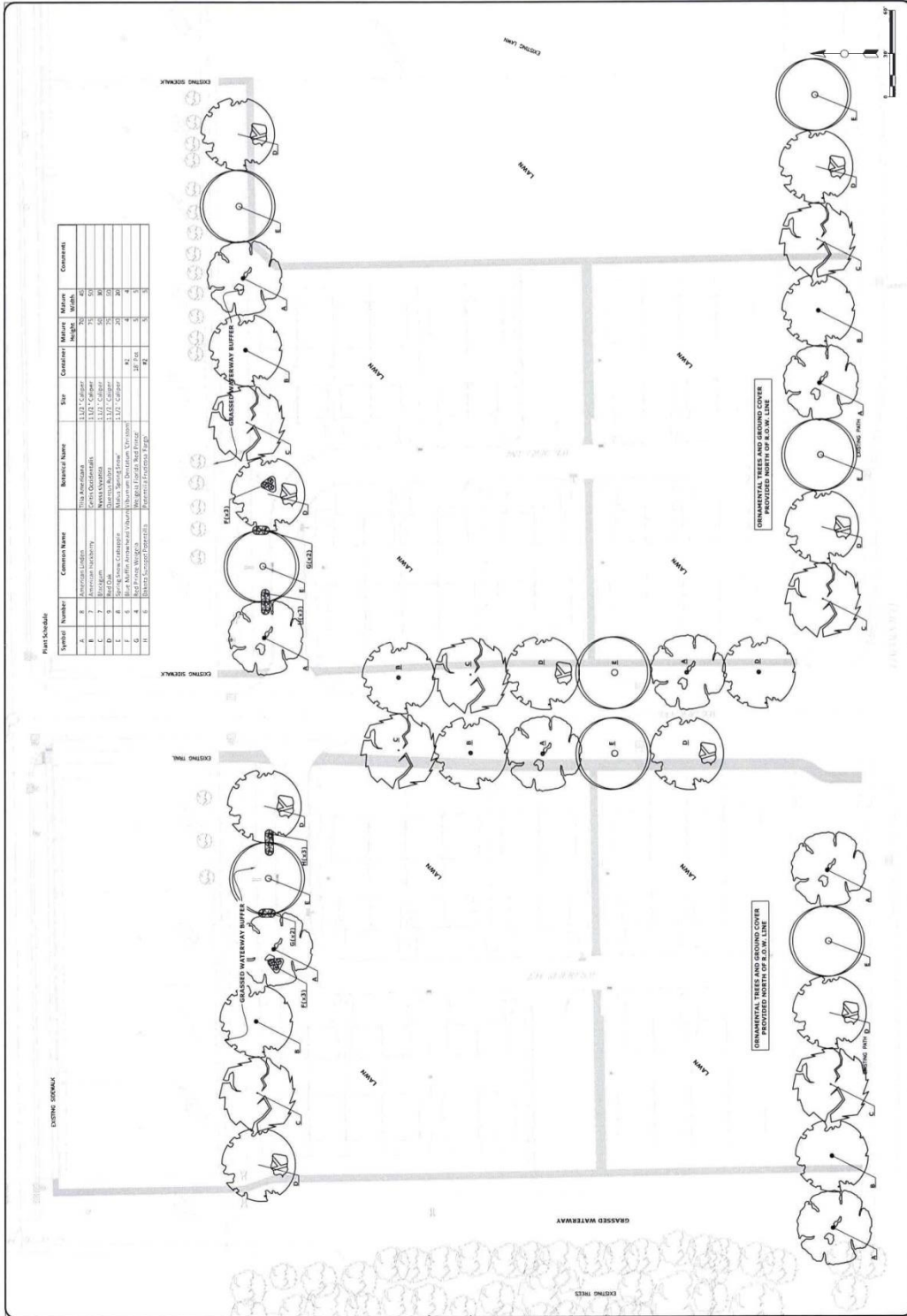


SITE LAYOUT AND UTILITY PLAN
 SUBJECT: [Project Name]
 ADDRESS: [Address]
 SHEET: 3 OF 5

NO.	REVISION	DATE
1	AS SHOWN	03/29/16

Attachment B, Street Tree Plan

LAST UPDATE: 03/29/17 DESIGNED: [blank] CHECKED: [blank] DRAWN: [blank] DATE: [blank]	SHEET: [blank] OF SHEETS: [blank]	STREET TREE/ LANDSCAPING PLAN PROJECT: [blank] ADDRESS: [blank] CITY: [blank]	FOX Engineering 414 South 17th Street, Suite 107 Phoenix, AZ 85010 Phone: (602) 234-0000 Fax: (602) 234-0700
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Plant Schedule

Symbol	Number	Common Name	Material Name	Size	Quantity	Notes	Plant Mark	Comments
A	1	Arizona Ash	1118-Azoresiana	3.1/2" Caliper	20		45	
B	2	Arizona Ash	1118-Azoresiana	3.1/2" Caliper	20		45	
C	3	Arizona Ash	1118-Azoresiana	3.1/2" Caliper	20		45	
D	4	Arizona Ash	1118-Azoresiana	3.1/2" Caliper	20		45	
E	5	Arizona Ash	1118-Azoresiana	3.1/2" Caliper	20		45	
F	6	Arizona Ash	1118-Azoresiana	3.1/2" Caliper	20		45	
G	7	Arizona Ash	1118-Azoresiana	3.1/2" Caliper	20		45	
H	8	Arizona Ash	1118-Azoresiana	3.1/2" Caliper	20		45	
I	9	Arizona Ash	1118-Azoresiana	3.1/2" Caliper	20		45	
J	10	Arizona Ash	1118-Azoresiana	3.1/2" Caliper	20		45	

1. All trees to be planted in accordance with the City of Phoenix Tree Ordinance.
 2. All trees to be planted in accordance with the City of Phoenix Tree Ordinance.
 3. All trees to be planted in accordance with the City of Phoenix Tree Ordinance.

Attachment C: Applicable Subdivision Law

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

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

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

Ames Municipal Code Section 23.302(5):

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

Ames Municipal Code Section 23.302(6):

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

Ames Municipal Code Chapter 23, Subdivisions, Division IV, establishes requirements for public improvements and contains design standards.

Staff Report

**Land Use Policy Plan Amendment Initiation Request for
2700, 2702, 2718 and 2728 Lincoln Way,
112 and 114 S. Hyland, and 115 S. Sheldon**

May 24, 2016

BACKGROUND:

On April 26, 2016, the City Council referred to staff the letter from Chuck Winkleblack, representing the developer, River Caddis Development, LLC, asking to initiate a Minor Amendment to the Land Use Policy Plan for the 2700 block of Lincoln Way and associated processes needed for the redevelopment of the properties to a single mixed-use student housing development. The site is made up of seven properties and totals approximately 1.8 acres south of Lincoln Way and between Hyland and Sheldon Avenues. (*See Attachment A – Location Map*). The properties currently have a mix of commercial uses, a gas station, and multi-family housing.

During preliminary meetings, the developer described an interest in a mixed use development concept that consists of a boutique hotel, a small amount of commercial square footage, and a residential lobby, leasing offices, and amenity spaces on the ground floor with approximately 168 apartment units and 510 bedrooms and amenity space on the upper levels of a five to six-story building. The developer desires to provide one parking space per apartment unit and hotel room and configure the development with structured parking accessed from Hyland and Sheldon.

To develop the described project, a number of steps are needed over the next six months to meet the developer's timeline for starting construction of the project in the spring of 2017 to be opened in August 2018. **The developer needs a LUPP Amendment, rezoning, zoning text amendment, designation of an Urban Revitalization Area (URA), a development agreement, a site development plan, and a plat of survey to combine parcels.**

Staff has prepared this report to provide the City Council with background information on the request and to determine City Council's interest in moving forward with the approval process for such a project. **The main questions needing to be addressed at this time to initiate the project are the following:**

- 1) Should the LUPP amendment process be initiated outside of the Lincoln Corridor Focus Area Evaluation; and if so, would it be a Major or Minor Amendment;**

2) Should zoning text amendments be initiated to support the rezoning of the property and development of the proposed uses; and

3) Is City Council willing to consider providing tax abatement under a site specific URA (separate from Campustown URA Criteria) and enter into a development agreement for the project?

ISSUE #1: LAND USE POLICY PLAN AMENDMENT:

The LUPP designation of the property is currently Low Density Residential. The existing developed uses of the properties are either commercial or apartment buildings, which does not align with the existing low density land use designation. The Low Density Residential designation allows for the site to be developed with only single-family residential uses to a maximum density of 7.26 dwellings units per net acre.

The site was recently identified as the eastern edge of Focus Area #4 in the Lincoln Corridor Study. Focus Area #4 includes both sides of Lincoln Way west of Sheldon and extends to Campus Avenue. This Focus Area has been identified in the Corridor Plan to consider general issues concerning multi-family properties and Campustown transitions to the west.

The applicant has requested that the City Council consider this site independent of the Corridor Study due to the timing of the project. The developer believes that the issues related to this site are unique and do not impede the Focus Area assessment of how other properties could redevelop further to the west.

Additionally, the developer requests initiation of a LUPP Minor Amendment to allow the land use designation be changed to accommodate the desired rezoning for both commercial and high density residential uses on the site. This change could be either to the “Downtown Service Center” land use which encompasses the current Campustown Service Center (CSC) zoning district or to a “High Density Residential” land use which could permit Residential High Density (RH) zoning allowing for both apartments and small amounts of commercial development area.

The developer believes a minor amendment is appropriate due to how the sites are currently zoned and used and the change in designation would reflect those uses. Additionally, the developer maintains that, due to the size of site, there is not a wide range of options for the site that would necessitate a Major Amendment process with mandatory scoping meetings and review processes. However, the developer is willing to meet with neighborhood interests as part of the review process even though such meetings are not required as part of the Minor Amendment process.

Staff notes that with a high density designation the proposed density exceeds the maximum density of RH. Only the Service Center designation permits the density required by the developer.

ISSUE #2 TEXT AMENDMENT/REZONING:

The current zoning of the three properties at the corner of Sheldon and Lincoln Way is Campustown Service Center with the remaining four properties zoned Residential High Density with the West University Impact Overlay. *(See Attachment B and C –Existing LUPP and Zoning Map)*. The developer's primary interest in seeking rezoning is to unify the zoning across the site and take advantage of the CSC zoning allowance for development without street setbacks and for one parking space per apartment unit, rather than per bedroom as is the case in standard RH zoning districts.

However, CSC is first and foremost intended to be a commercial zoning district that supports street level commercial use and activity and allows for residential development on upper floors of mixed-use buildings. To construct the allowed residential apartments, they must be located above commercial uses as identified in Section 29.809(2) of the Zoning Ordinance. The developer's mix of ground floor uses with commercial, hotel rooms, and residential space is not consistent with the current CSC zoning requirements.

If the developer was to pursue RH zoning that allows for residential and commercial uses, it does not allow the proposed hotel use. Additionally, RH does not have reduced setbacks that are desirable along Lincoln Way, it does not permit the lower parking rate of one space per unit, rather than per bedroom, and does not permit the level of density requested by the developer.

In either rezoning scenario of CSC or RH, the developer requests initiation of a text amendment to allow their desired mix of uses within a design type that has reduced setbacks and parking rates comparable to CSC zoning. **Alternatively, creating a separate zoning district or a combining district to the base zone may be the most appropriate option rather than modifying the CSC or RH zoning districts that are broadly used within the City.**

ISSUE #3 URBAN REVITALIZATION AREA:

The developer views their request as an extension of Campustown redevelopment and, therefore, desires partial property tax abatement within an Urban Revitalization Area be applied to the entire 1.8 acre site. Currently, approximately 0.7 acres of the overall site are within the boundaries of the Campustown URA. During staff's recent review of the developer's concept, it was clear that an extension of the current Campustown URA would not fully meet the developer's interest as their current design does not meet the ground floor commercial requirement to be eligible for tax abatement. The developer believes they have or could meet the remaining standards related to structured parking, design, and public safety measures. **In lieu of the Campustown URA criteria, the developer proposes that Council remove the current portion of the site from within the Campustown URA and that the whole site receive a new URA designation.** The new designation would be

based upon an accepted project specific design, rather than individual criteria, and include a development agreement.

Typically, the URA and its partial property tax abatement tool have been applied by Ames to incentivize exceeding underlying zoning requirements or to help encourage development of a desired use. This is epitomized in the City's Campustown URA criteria and in its Commercial URA policy. In the proposed process, the City Council would agree to a conceptual design and terms of a development agreement in advance of establishing a new URA. **Council would need to provide direction to staff on any specific issues for uses or design elements as the developer formulates plans for the project.** If Council indicates a willingness to consider creating a URA, a follow up meeting on project details and development agreement terms would occur prior to project approval.

APPLYING THE RH SITE EVALUATION TOOL:

In 2015, Council asked that each apartment development request include an assessment with the RH Site evaluation tool. (*see Attachment D – RH Site Evaluation Tool*) With this request there are minimal details available to complete the checklist regarding design of the project, however, location/surroundings, transportation, housing types and opportunity for mixed use would rank high for this project based on location of the project near campus and commercial development areas and the site being located on a major transit route. If Council believes that potentially adding additional student housing is desirable and that the design controls of a development agreement support redeveloping the site, the preliminary results of the RH matrix indicate this could be a good site for such an intense use.

STAFF COMMENTS:

In regards to the process of a LUPP Amendment, staff can support individual evaluation of the project separate from the broader Focus Area of the Lincoln Corridor Plan and that it can be classified as a Minor LUPP Amendment with the understanding the developer will hold a public meeting for neighborhood outreach. Staff has reached this conclusion based on the inconsistency of the current zoning with the LUPP, limited range of options for the site if it is to change, site size, and the developers commitment to conduct public outreach. If a Major Amendment process is preferred by Council for the project, staff would recommend that the site remain as part of the Focus Area evaluation that would continue through the summer and to not create two significant outreach processes for the same area of the City.

As part of the initial evaluation of the project, staff would need to review the sanitary sewer capacity for the expanded project and how traffic levels could be affected by the redevelopment of the site. Staff notes that residents to the west of this site continue to be concerned about traffic levels for through traffic in this area and parking issues.

In terms of the zoning issues, the proposed use is a hybrid between high density residential and commercial. **Two key questions in this project are the City's interest**

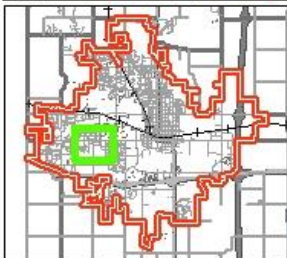
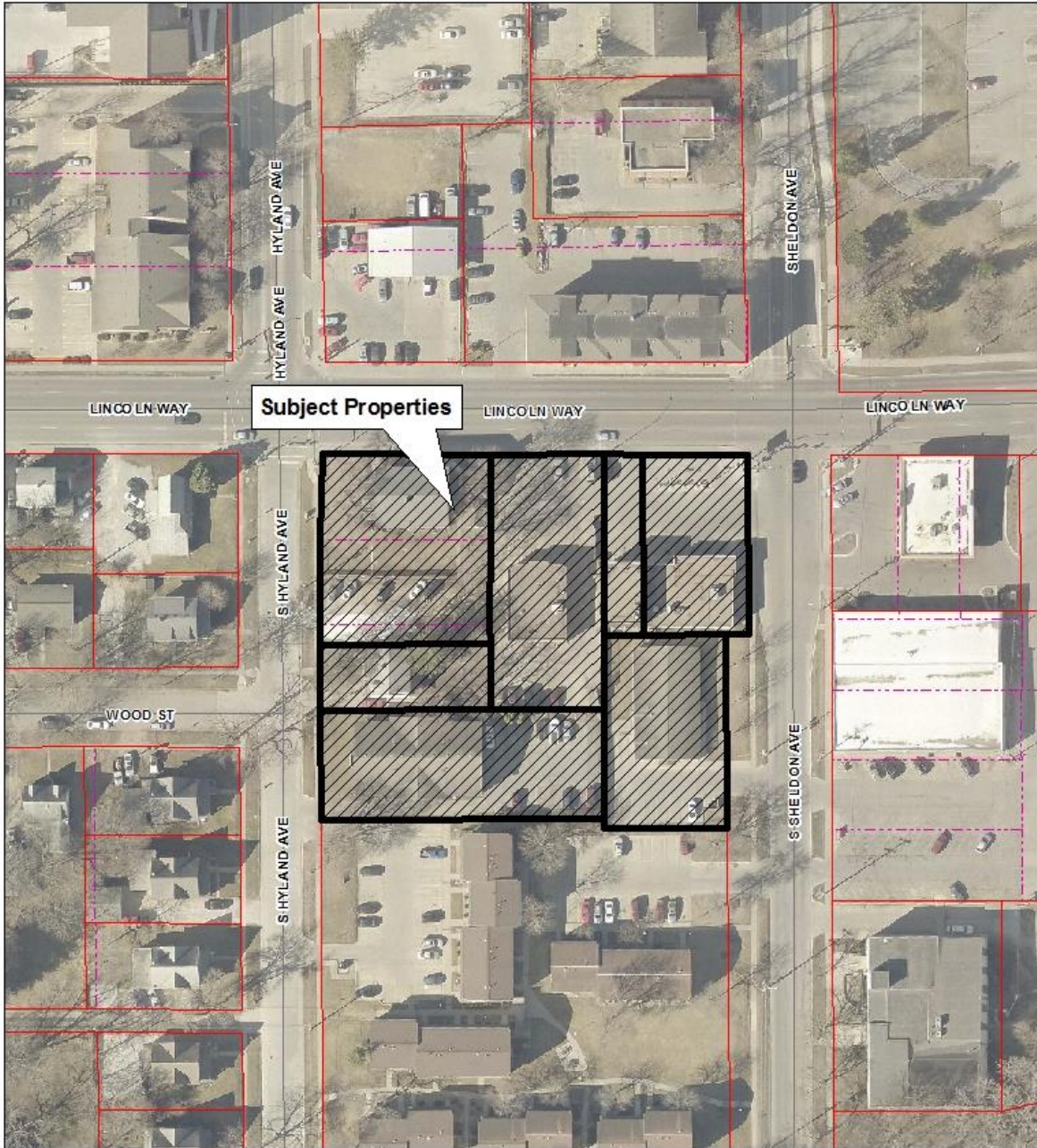
in expanding the intense redevelopment of Campustown with 5 and 6-story buildings to the west, and if so, should commercial be the primary use on the ground floor of the building as has been customary in CSC zoning or in a manner proposed by the developer.

If the Council chooses to support this project, staff believes creating a new zoning district of planned commercial or an additional Lincoln Corridor Combining district is preferable to modifying the base zone standards of CSC. Although the project appears to be more residential in nature than commercial, base RH zoning does not work well for the proposal. There are additional design issues regarding the activity level and interest levels along the street, building massing, and building materials that would be part of the later site plan level review of the project once the general arrangement of uses is understood for the site. Additionally, if the Council is concerned about the parking requirement of one space per unit, options for a different parking standard would have to be part of the text amendment.

The developer desires partial property tax abatement to facilitate redevelopment of the site. Although the project is modeled after recent campustown projects, it is not the same in complying with the established Campustown URA criteria. This is primarily due to the small amount of retail spaces on the ground floor of the project. However, the developer proposes to do a URA that is subject to Council approval of project specific plan rather than general criteria. Such a plan would be modeled from the Campustown URA criteria, but would not be verbatim in expectations.

The requested URA is also a hybrid request as it does not clearly fall within the Council's Commercial Land policy for property tax abatement, nor does it completely match the Campustown expectations. **The developer believes the URA is warranted to ensure that the entire site is redeveloped as a single cohesive project, rather than as a smaller project at the corner of Sheldon within the current CSC zoned area that does not include the residential properties along Hyland. The developer believes the City benefits from the URA and desires to enter into a development agreement to ensure that both the developer's and City interests are met for the project.**

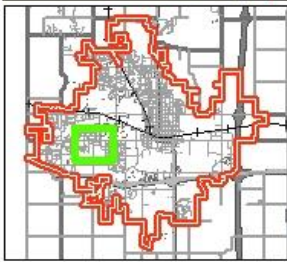
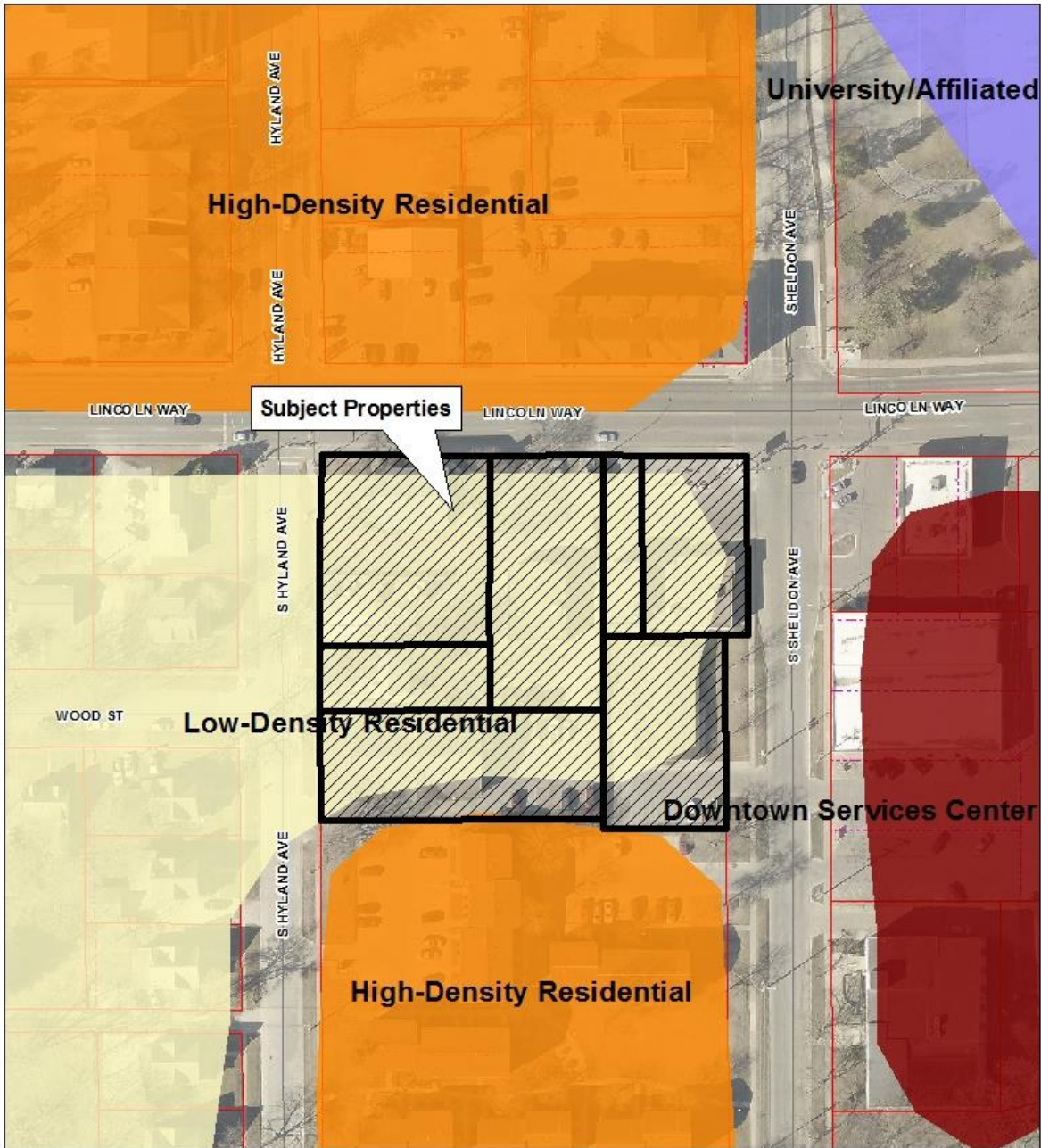
**Attachment A
Location Map**



**Location Map
2700, 2702, 2718 and 2728 Lincoln Way,
112 and 114 S. Hyland, and
115 S. Sheldon**

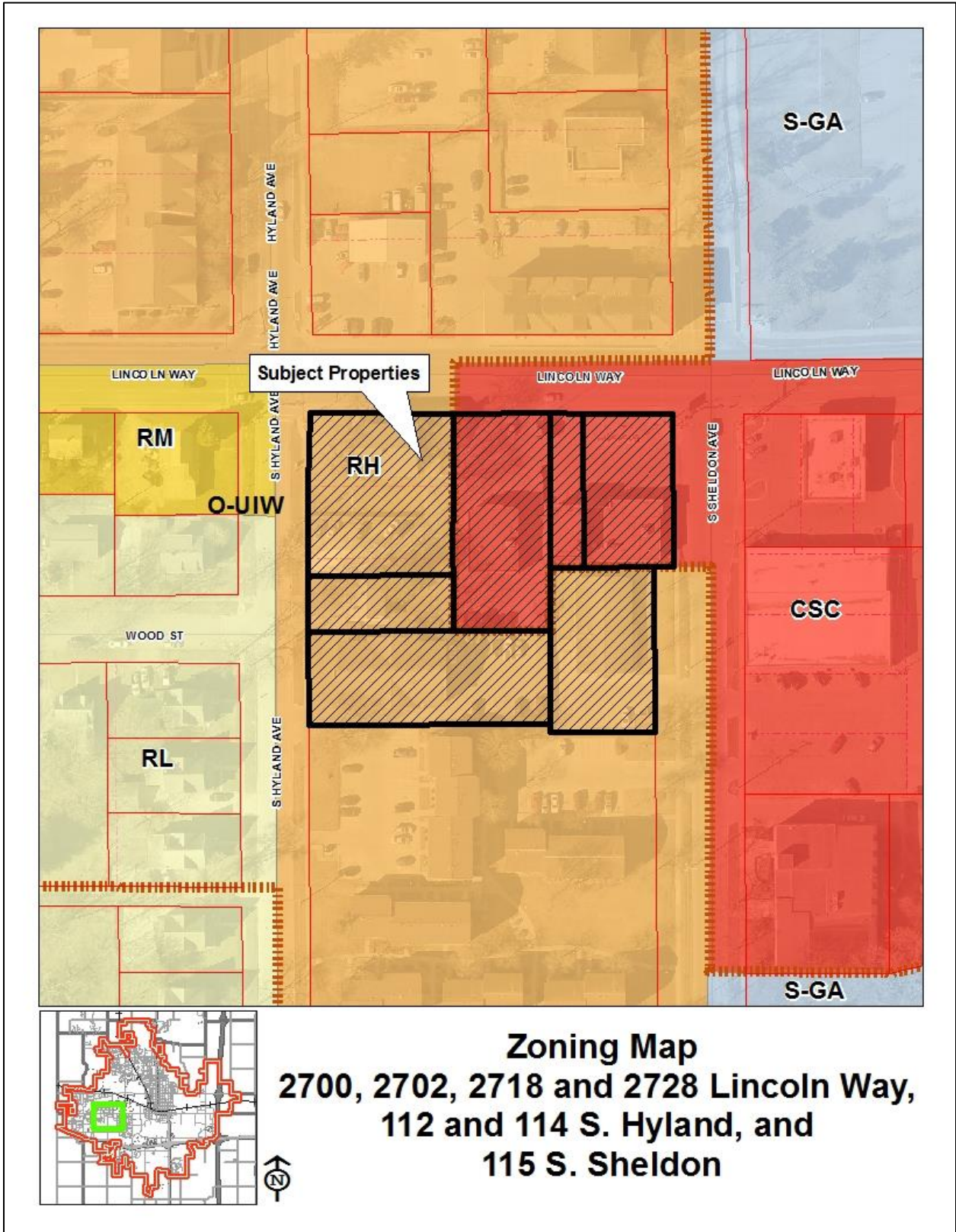


**Attachment B
Existing LUPP Map**



**Land Use Policy Plan Map
2700, 2702, 2718 and 2728 Lincoln Way,
112 and 114 S. Hyland, and
115 S. Sheldon**

**Attachment C
Existing Zoning Map**



**Attachment D
RH Site Evaluation Tool**

RH Site Evaluation Matrix	Project Consistency		
	High	Average	Low
Location/Surroundings			
Integrates into an existing neighborhood with appropriate interfaces and transitions High=part of a neighborhood, no significant physical barriers, includes transitions; Average=adjacent to neighborhood, some physical barriers, minor transitions; Low=separated from an residential existing area, physical barriers, no transitions available	X		
Located near daily services and amenities (school, park ,variety of commercial) High=Walk 10 minutes to range of service; Average=10 to 20 minutes to range of service; Low= Walk in excess of 20 minutes to range of service. *Parks and Recreation has specific service objectives for park proximity to residential	X		
Creates new neighborhood, not an isolated project (If not part of neighborhood, Does it create a critical mass or identifiable place, support to provide more services?)		X	
Located near employment centers or ISU Campus (High=10 minute bike/walk or 5 minute drive; Average is 20 minute walk or 15 minute drive; Low= exceeds 15 minute drive or no walkability)	X		
Site			
Contains no substantial natural features on the site (woodlands, wetlands, waterways)	X		
Located outside of the Floodway Fringe	X		
Separated adequately from adjacent noise, business operations, air quality (trains, highways, industrial uses, airport approach)	X		
Ability to preserve or sustain natural features			X
Housing Types and Design			
Needed housing or building type or variety of housing types		X	
Architectural interest and character			X
Site design for landscape buffering			X
Includes affordable housing (Low and Moderate Income))			X
Transportation			
Adjacent to CyRide line to employment/campus High=majority of site is 1/8 miles walk from bus stop; Average= majority of site 1/4 mile walk from bus stop; Low= majority of site exceeds 1/4 miles walk from bus stop.	X		
CyRide service has adequate schedule and capacity High=seating capacity at peak times with schedule for full service		X	

Average=seating capacity at peak times with limited schedule Low=either no capacity for peak trips or schedule does not provide reliable service			
Pedestrian and Bike path or lanes with connectivity to neighborhood or commute	X		
Roadway capacity and intersection operations (existing and planned at LOS C)		X	
Site access and safety		X	
Public Utilities/Services			
Adequate storm, water, sewer capacity for intensification High=infrastructure in place with high capacity Average=infrastructure located nearby, developer obligation to extend and serve Low=system capacity is low, major extension needed or requires unplanned city participation in cost.			X
Consistent with emergency response goals High=Fire average response time less than 3 minutes Average=Fire average response time within 3-5 minutes Low=Fire average response time exceeds 5 minutes, or projected substantial increase in service calls	X		
Investment/Catalyst			
Support prior City sponsored neighborhood/district investments or sub-area planning		X	
Creates character/identity/sense of place		X	
Encourages economic development or diversification of retail commercial (Mixed Use Development)	X		

Attachment E Applicant Letter

To: Honorable Mayor and City Council

From: Chuck Winkleblack, Hunziker Companies

RE: Lincoln Way project between Hyland and Sheldon

Date: April 12, 2016

The Developers have been working on this project on the Lincoln Way corridor since last fall. In October of 2015 the Developer requested a minor amendment to the LUPP for this area along the Lincoln Way corridor on the West edge of Campus. The Developers decided to pull back their minor amendment request in order for the Lincoln Way corridor study to get under way. I have been working with the consultant on the corridor study as well as with city staff on this project for the past few months. We urge the council to make the 2700 block of Lincoln Way a focus area that moves forward in parallel to the corridor study as an individual project within the focus area. Planning Director Diekman recommends that we bring this project back as an agenda item on May 10. This area is ripe for development with a Developer waiting for answers, the other areas along the corridor appear to be future potential projects.

The Developer currently has under contract the properties located at 2700, 2702 and 2718 Lincoln Way. Those properties are currently zoned (CSC) and approved for the urban revitalization. The Developer could turn in a site plan for approval and start on this site without any changes to the codes or council action. It is imperative that we get an answer as soon as possible on whether or not the bigger project can move forward. If not the Developer will go forward with this site and have it open for the fall of 2017. I don't believe the smaller project is in the community's best interest.

The Developer currently also has under contract the properties located at 2728 Lincoln Way, 115 S Sheldon, 112 S Hyland and 114 S. Hyland. We need to do a minor LUPP amendment on those four properties. Those properties are currently designated as low density on the LUPP. Those four properties total only a little over 1.1 acres. The small size along with the fact that all of these properties are currently rental properties and the overall condition of most of these properties hopefully will bring you to the conclusion that the minor LUPP amendment makes a lot of sense. The minor amendment request is to change from low density to a combination of RH and CSC.

The project will also require some text amendments to the current code. There will need to be a text amendment to a hybrid of the zoning to allow less commercial on the main floor as well as residential on the ground floor of a mixed use site. Too much commercial along Sheldon and Hyland would not be successful. This approach will emphasize the commercial along Lincoln Way and part of Sheldon facing the campus. The balance of Sheldon and most of Hyland will be used for residential purposes.

The overall approach would be to treat this project similarly to the Kingland project in Campustown in that the changes are site specific and not as an overall change to all of the ordinances currently on the books.

This slight extension of the boundaries of the zoning and urban revitalization are within the spirit and the intent for the area. It makes sense to have intensification and additional student housing across the street from the campus.

My letter last fall to the council also made the following points:

One compelling reason to move this forward and add these properties to this project is that if they are not included in this project it is highly unlikely that these properties will redevelop any time soon. My basis for that argument is based on size and location. The Sheldon property is not large enough to redevelop on its own and will have a large project to the North and to the South. Additionally, by adding it to the project I believe that it will improve the project and provide better access to the larger project away from the Lincoln Way intersection. The other 3 properties are very small, particularly the property at 2728 Lincoln Way. It is a corner property so if it redevelops it will have 2 front yards and 2 side yards. Less than 50% of the property would be able to be built on if it redevelops on its own. There are many economies of scale that will be achieved by combining these properties into one larger project. This is a much better use of the valuable land resource in the area. The age of these "boarding house" type of apartment buildings that are close 100 years old should also play into the decision making process. It is not economically feasible to remodel these older properties. Even if they were remodeled they would leave the ground severely underutilized.

Regarding expanding the urban revitalization area, it is important to remember that the abatement is only on the improvements. The taxes that are currently being paid will continue to be paid going forward. Additionally the new project will pay additional taxes as the abatement is used up and they start paying full taxes. There is no tax revenue lost as a result of this request. If the properties remains as they are today, it will be undervalued and underutilized for the next several decades. The city will lose out on millions of dollars of property tax revenue. Even if these properties are able to be redeveloped the end result will be a significantly smaller project with much less tax revenue coming into the city.

To summarize:

1. The Developer has 2700, 2702 and 2718 Lincoln Way under contact and can go forward with that project with no additional zoning actions required from the council.
2. If the LUPP is not amended the developer will simply move forward with the project on that single property. However the Developer is willing to increase their investment in our community and make this a "win/win" situation. Hopefully, when you look at the map and go look at the properties you will agree that the other properties should be included with this project.
3. Nearly all, if not all, of the properties in the immediate area are already rentals or commercial property.

4. This project is on the door step of the campus. This is exactly where the community wants intensification! The students may or may not have cars here and certainly will not likely use them on a daily basis because they will walk to class and not further burden Cy-ride.

5. When the developer initially met with the City on the Lincoln Way parcels, the planning director brought up the concept of including the other properties.

6. The Developers needs to start on the site late summer or early fall at the latest so that the project can be completed for the fall of 2018. As you can imagine the engineering and architecture involved in a project like this is very expensive and time consuming. The Developer needs to get direction as soon as possible so that they can get moving on the engineering and design.

7. I encourage you to research this Developer. They have done numerous projects throughout the country and I believe they are highly regarded in this industry as an innovator in the student housing market. Their web site is rivercaddis.com. They are willing to make a huge investment in our community and have assembled a great building team to design and complete the project.

Thanks in advance for your consideration. I am available to guide any of you on tours inside or around the exterior of any of these three properties if that would be helpful for you to see the age and condition of these properties.

Respectfully submitted,



Chuck Winkleblack

COUNCIL ACTION FORM

SUBJECT: **ROADWAY PRESERVATION EASEMENT VACATION – 3599
GEORGE WASHINGTON CARVER AVENUE (SCENIC POINT
SUBDIVISION)**

BACKGROUND:

At the May 10, 2016 Council meeting, Council referred a **request to vacate** the existing roadway preservation easement located on the east side of 3599 George Washington Carver. A map of the location is shown in Attachment A.

The developer of 3599 George Washington Carver Avenue recently made application and was approved for annexation in anticipation of developing the property into single family residential housing as Scenic Point Subdivision.

The July 2015 plat of survey shows a roadway preservation easement over the eastern 60' of this property. This easement was approved by Resolution 15-440 by City Council and recorded at Story County in anticipation of the eventual extension of Bloomington Road over Squaw Creek to County Line Road as shown in the 2035 Long Range Transportation Plan. The easement was intended to accommodate the realignment of GW Carver Avenue in association with the extension of Bloomington Road (the curve will be taken out, creating a "T" intersection). This roadway preservation easement impacts the developer's desired development of the property.

With the recent adoption of the 2040 Long Range Transportation Plan (LRTP), the extension of Bloomington Road over Squaw Creek to County Line Road is not currently shown as a project in the LRTP. The LRTP identifies and prioritizes projects over a 25-year period; and projects that may become a priority beyond that time frame are not shown in the Plan.

Continued growth in the northern area, combined with future growth in the northwest growth area, may lead to this extension project being included in a subsequent LRTP. Maintaining the preservation easement preserves the City's ability to provide right-of-way for the extension should this project be prioritized in the future.

ALTERNATIVES:

1. The City Council can decide to deny the request and maintain the existing roadway preservation easement.

This alternative should be approved if the City Council believes that it is possible, sometime in the future, that an east/west arterial will be needed to facilitate traffic demands due to development in the northern and northwest growth areas.

2. Approve the request to vacate the existing roadway preservation easement as shown on the July 2015 Plat of Survey and set June 28, 2016, as the public hearing date to vacate the easement.

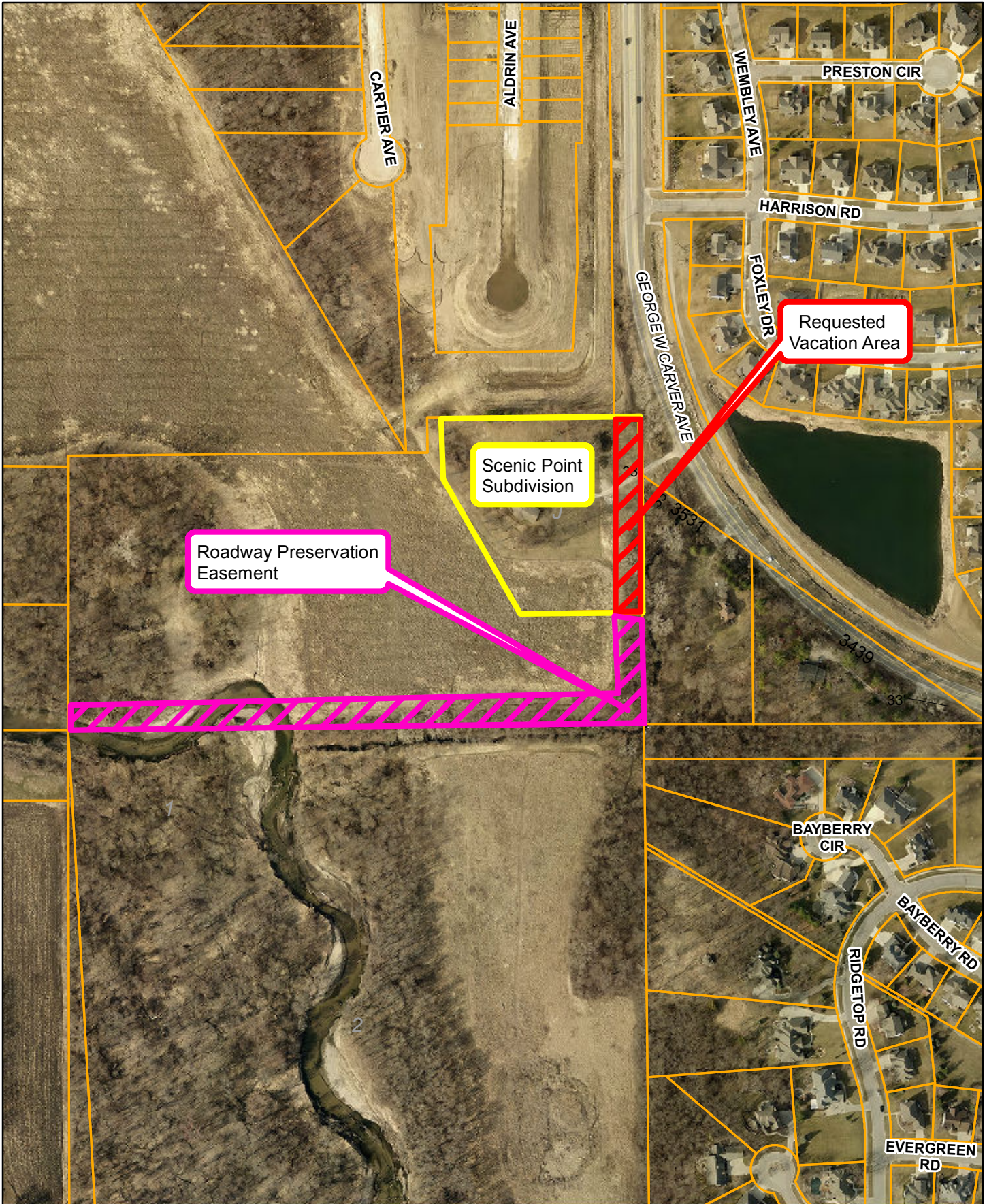
This alternative should be approved if the City Council does not believe that an east/west arterial will be needed to accommodate growth in the northern and northwest growth areas, or that an alternate street corridor can be identified.

MANAGER'S RECOMMENDED ACTION:

This is a legitimate request from the developer, since the current LRTP no longer includes this arterial extension as a future project. It is natural to assume that the roadway may never be built, and thus that the easement is no longer necessary.

On the other hand, given the amount of growth that is currently projected for the northern area, as well as long-term growth that may occur in the northwest growth area, it is possible that a future update to our LRTP will reflect the need for an additional east/west arterial across this portion of the city. Maintaining the reservation easement helps preserve the ability to provide right-of-way for the Bloomington Road Extension should a future LRTP show the need for the project.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above. However, if the City Council is confident that an east/west arterial will not be needed in the future or that an acceptable alternate route can be identified, then Alternative #2 could be supported.



Geographic Information System (GIS) Product Disclaimer: City of Ames GIS map data does not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership & land use nor does it replace field surveys of utilities or other features contained in the data. All features represented in this product should be field verified. This Product is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the User.



Scenic Point
Roadway Preservation Easement



Scale: 1 in = 300 ft
Date: 5/19/2016

COUNCIL ACTION FORM

SUBJECT: 2015/16 TRAFFIC SIGNAL PROGRAM (UNIVERSITY BLVD. & HWY 30 WESTBOUND OFF-RAMP) & 2017/18 TRAFFIC SIGNAL PROGRAM (EAST 13TH STREET & INTERSTATE 35 NORTHBOUND OFF RAMP)

BACKGROUND:

The Capital Improvement Plan's Traffic Signal Program provides for replacing older traffic signals and for constructing new traffic signals in the City. Program goals include improved traffic flow and safety, as well as improved visibility, reliability, and signal aesthetics. **This specific project is for installation of a new traffic signal at the intersection of University Boulevard and the Highway 30 Westbound Off-Ramp.** The need for this project was identified in a traffic impact study for the ISU Research Park Phase III expansion.

Staff has completed plans and specifications for this contract with a base bid (all work except purchasing backup equipment) plus one add alternate bid. The alternate bid is included to potentially purchase backup replacement equipment for the pedestrian push buttons and the vehicle radar detection systems.

On May 4, 2016, bids for the project were received as follows:

<i>Bidder</i>	<i>Base Bid</i>	<i>Bid Alternate</i>	<i>Total Bid (Base + Alternate)</i>
Engineer's Estimate	\$176,700.00	\$ 19,500.00	\$ 196,200.00
Iowa Signal Inc.	\$165,150.66	\$ 18,920.00	\$ 184,070.66
Baker Electric	\$164,989.40	\$ 19,658.00	\$ 184,647.40
K&W Electric	\$167,968.28	\$ 19,000.00	\$ 186,968.28
Voltmer Inc.	\$174,071.13	\$ 18,865.00	\$ 192,936.13

Currently, the 2015/16 Capital Improvements Plan includes Road Use Tax funding of \$125,000 and ISU funding of \$125,000 for this project, bringing total project funding to \$250,000.

Recently, the City staff has received word that the Iowa DOT desires to provide U-STEP funding to replace the City's portion of this project. In turn, DOT would like those same Road Use Tax dollars to instead be used as matching funds for a signal project the Iowa DOT has identified as high-priority at the Northbound I-35 off-ramp at East 13th Street. The Iowa DOT determined that the off-ramp was in need of signalization after conducting their annual count program for calendar year 2015.

Under their proposal, the Iowa DOT would use U-STEP funding to pay for 50% of the overall University Blvd./Highway 30 signal costs and 55% of the Northbound I-35 off-ramp/East 13th Street signal construction and right-of-way costs. ISU would continue to have a 50% share of overall project costs for the signal at University Boulevard, as originally planned. ISU staff is aware of this proposal and have agreed that the

alternative funding arrangement with the Iowa DOT will not change ISU's contribution to the signal at University Boulevard/Highway 30.

On May 10, 2016, City Council approved the report of bids and the final plans and specifications for the signal project at University/HW30. Items remaining to be approved are two (2) U-STEP agreements for University/HW30 (FY2015/16) and Interstate 35/E. 13th Street (FY2017/18 – with construction in 2017). If City Council agrees with the Iowa DOT proposal, an award of the project to the low bidder from the May 4th letting will also need approval. A summary of the budget for both projects is shown below:

Expenses	University & HW 30	I 35 & 13th	Total Exp.
Design & Inspection	\$24,000.00	\$24,000	\$48,000.00
Construction	*\$165,151.66	\$180,000	\$345,151.66
Bid Alternate	*\$18,920.00	\$20,000	\$38,920.00
	\$208,071.66	\$224,000	\$432,071.66

Funding	Total Funding		
ISU	\$104,035.33	-	\$104,035.33
U-STEP	\$104,035.33	\$110,000	\$214,035.33
Road Use Tax	-	\$114,000	\$114,000.00
	\$208,071.66	\$224,000	\$432,071.66

*amounts based upon bids, all other amounts are estimated with contingency.

The table shows that both projects can be fully funded by moving the City's funding to the I35/13th St traffic signal and supplementing each project with U-STEP funds. It should be noted that this will not require additional funding from either ISU or the City of Ames.

ALTERNATIVES:

1. a. Approve the U-STEP agreement for the 2015/16 Traffic Signal Program (University Boulevard & Highway 30 Westbound Off-Ramp)
- b. Approve the U-STEP agreement for the 2017/18 Traffic Signal Program (E. 13th Street and Interstate 35 Northbound Off-Ramp)
- c. Award the 2015/16 Traffic Signal Program (University Boulevard & Highway 30 Westbound Off-Ramp) with Bid Alternate to Iowa Signal, Inc., of Grimes, Iowa, in the amount of \$184,070.66.
2. Do not proceed with the project at this time.

MANAGER'S RECOMMENDED ACTION:

By awarding this project, it will be possible to move forward with the goal of having the signal installed and operational prior to this autumn's first ISU home football game. These two signal projects will provide needed operational improvements to two off-ramp intersections that are currently experiencing significant delays and queuing.

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

COUNCIL ACTION FORM

SUBJECT: MAJOR LAND USE POLICY PLAN AMENDMENT FOR SOUTH DUFF AVENUE (BRICK TOWNE DEVELOPMENT)

BACKGROUND:

In January of 2015 the City Council initiated a Land Use Policy Plan amendment at the request of Dickson Jensen for 57 acres (now reduced to 44 acres) of land he owns in the 3100 to 3400 block of South Duff Avenue. Mr. Jensen has proposed a high density residential development, while retaining a portion of the site for commercial use. The City Council designated this request as a Major LUPP Amendment due to the type of change and the size of the request.

The property lies on the west side of S Duff Avenue (Highway 69) and east of the Ames airport. It has frontage on the north side and south side of Story Memorial Gardens, a private cemetery (see Attachment A for a location map). The Land Use Policy Plan currently identifies this area as Highway-Oriented Commercial (see Attachment B).

Mr. Jensen's request is for the west and south portion of the property to be designated as High Density Residential while retaining the frontage north of the cemetery as Highway-Oriented Commercial (see Attachment C). The developer believes that the site would accommodate approximately 700 apartment units in a variety of configurations focused mostly on 1-bedroom unit types and within buildings that would typically be greater than 12 units per building in size. The developer also believes the site would be built out as a large apartment community, rather than have the site subdivided into individual lots for separate development. Although the estimated 700 units could be built within the allowable range of medium density, the property owner desires to construct larger apartment buildings that are permissible within the High Density Residential zoning district. **Final details of the future zoning and site configuration will not be set by a LUPP Amendment, as this step in the development process only contemplates appropriateness of use, not site development details.**

During the scoping open house in February 2015, and subsequent workshop in March of 2016, two primary issues of concern to the neighbors were raised: traffic on US Highway 69 and storm water management. The City had the developer complete studies for traffic impacts from development of the site and how the site's development would fit within the City desire to improve storm water management within the general area. **The studies found that significant improvements are needed along Duff Avenue due to current conditions, expected future growth, and specific impacts of the developer's proposed plan. The storm water assessment concluded that development of the site and the City's interest in storm water detention facilities could both be accommodated through a coordinated effort. These issues, and others, are more fully addressed in the addendum.**

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission considered the request at their meeting on May 4, 2016. Three nearby residents spoke and expressed concerns about storm water and traffic. They also suggested a low-density designation and ensuring that there would be an affordable housing option. **The Planning and Zoning Commission voted 4-1 to support changing the majority of the site to High Density Residential and retaining Highway-Oriented Commercial along the South Duff Avenue frontage north of the cemetery.**

ALTERNATIVES:

1. The City Council can designate that Highway Oriented Commercial be retained for the frontage along South Duff Avenue north of the cemetery and designate the remainder as High Density Residential as shown in Attachment C.
2. The City Council can retain the existing Highway-Oriented Commercial for the entire site, declining any changes.

CITY MANAGER'S RECOMMENDATION:

Staff believes the studies that have been completed for the site demonstrate how the site could accommodate a high density residential development. Staff further believes the most viable option, compared to keeping Highway Oriented Commercial for the whole site, is to keep an area reserved for smaller scale commercial uses at Crystal Street in combination with High Density Residential to the west and south of the commercial.

The RH evaluation matrix shows mixed results (see attached addendum) as part of the LUPP Amendment evaluation. However, the proposal can meet some of the housing interests of the City, as described by the applicant. The site itself is adjacent to services and jobs which are desirable traits within the checklist, but the site does not integrate into an existing neighborhood and has potential undesirable compatibility issues with the external uses of the airport, commercial development in the area, and a cemetery. The airport proximity is clearly a unique issue about this request and how will its operations impact the desirability of the site for future residents.

Utilities and infrastructure can be extended relatively easily and modeling shows no capacity constraints. Stormwater can be improved with the joint actions of the City and developer based on the recommendations of the Teagarden Study. And, with the specific identified improvements of the Traffic Impact Study, levels of service can be improved and maintained from the opening day of the development through year 2035 traffic. Ensuring that traffic and stormwater improvements are completed along with future development of the site is critical to the evaluation of the request.

At this time the City Council is considering a LUPP Amendment request to determine if the site is appropriate for future residential development. If this amendment is approved, the property owner has an interest in seeking a development agreement to partner in

the sharing of costs. **In the event this project moves forward, staff advocates that any rezoning of the site includes contract rezoning to address site development details and the developers commitments for needed infrastructure to roadways and for stormwater improvements.**

Staff believes that changing the land use at this time can be supported because it will provide a needed housing type and not necessarily compromising the commercial land needs of the City by converting HOC land to a different use. **Therefore, the recommendation of the City Manager is to adopt Alternative #1, retaining the Highway-Oriented LUPP designation along the South Duff Avenue frontage and designating the remainder as High Density Residential.**

ADDENDUM

Site Conditions. This site has been designated as Highway-Oriented Commercial for more than a decade. The area was zoned HOC in 2011 at the request of the prior property owner. The site has two frontages on South Duff Avenue; 430 feet north of the cemetery and 300 feet south of the cemetery. There is relatively little frontage compared to its total acreage of 44 acres. The depth of the area ranges between 480 feet and 1,800 feet. Development of the site will require at least two points of access.

The proposal retains commercial opportunities along Highway 69 north of the cemetery and allows high-density residential over the remainder. Staff envisions development of the site will require a signalized intersection being created at the Crystal Street intersection that allows for an access road to serve development to the west, nearer the airport. An additional access point is proposed south of the cemetery, also to serve development areas to the west.

The area is capable of being served by city water and sanitary sewer with extensions of existing lines in the area.

Traffic Impacts. In order to anticipate proposed traffic impacts, the City commissioned a traffic impact study to evaluate current needs, proposed impacts, and future needs on the transportation system. The study evaluated impacts at eight intersections along Highway 69, from South 16th Street to Garden Road (see Attachment D). The study can be found at the Planning and Housing What's New web page at:

<http://www.cityofames.org/government/departments-divisions-i-z/planning/south-duff-avenue-lupp-amendment>

The study looked at current levels of service, future levels of service (year 2035) without the development, opening day of the development, and future 2035 levels of service with full build-out of the development. The study identified needed improvements along the Highway 69 corridor as a result of general growth in the community. **However, it also identified specific improvements needed to mitigate the impacts of this development on levels of service on this corridor and recommends the following improvements:**

- Construct a signal at South Duff Avenue and Highway 30 Eastbound ramp.
- Construct a signal at Crystal Street and Highway 30 intersection to serve the new development.
- Extend the three lane cross section south to the new south entrance to the proposed development, or possibly to Garden Road.
- Construct an additional left turn lane from Airport Road to South Duff Avenue.
- Improved pedestrian and shared use path connections along South Duff Avenue.

Based on the study, staff believes solutions exist to mitigate most of the impacts of additional traffic in south Ames. Not all intersections have feasible mitigations identified for future conditions, notably S. 16th Street and Duff Avenue. Some of the recommend projects are incremental capacity increases that may have to be implemented as part of larger projects and cannot be undertaken solely by the developer. **Staff believes that**

at the time of rezoning a development agreement will be needed to establish the developer's responsibility for roadway improvements and timing of improvements. It's likely that such a development agreement would propose discrete improvements that can be completed in relation to the development of the site and obligations the City would take on to complete longer term improvements.

Storm Water Management. There are three drainage areas on the west side of South Duff Avenue that carry stormwater under the road to the east side. Property owners have expressed concerns that development on the west side of South Duff Avenue will exacerbate existing conditions and lead to localized flooding and wet basements. There is also a concern that, infrequently, the highway is closed due to stormwater overtopping the roadway.

The City commissioned the Tea Garden Drainage study, completed in 2015, that makes specific recommendations for improvements that ameliorate the effects of existing drainage patterns. The full report can be found at on the Planning and Housing What's New webpage at:

<http://www.cityofames.org/government/departments-divisions-i-z/planning/south-duff-avenue-lupp-amendment>

The recommendations offer the maximum amount of flood protection without creating a larger future hazard of impounding water as a dam or creating a body of standing water that would be a flight hazard to airport operations. Using that study, the developer has done further analysis to determine what storage requirements will be needed to achieve the improvements needed by the City and to mitigate the increased runoff due to this development. An estimated storage capacity of 49 acre feet is needed to accommodate all projected stormwater, which the developer will need to incorporate into his development site. The findings of the study illustrate that development of the site could be done in a matter that meets City and property owner interests. **The City would need to enter into a development agreement for potential cost sharing of stormwater improvements on this site. If the project were not to move forward, the City would pursue implementing the recommendations of the Tea Garden Study independently rather than in a partnership.**

Commercial Land

A recent survey of vacant land from the fall of 2015 indicated the City has approximately 225 acres of Highway Oriented Commercial zoned land, including this site. HOC zoned land is spread throughout the southeast areas of town that include South and Southeast 16th Street, Dayton Avenue, and Duff Avenue. The City also has approximately 235 acres of landed zoned for new regional commercial development along 13th Street and east of I-35. These areas allow for a diverse range of commercial uses of retail, office, hotels, and service commercial businesses. Not all types of commercial businesses have the same location needs. The value of commercial land varies greatly due to specific site attributes of frontage and surrounding uses. Staff believes that there is at least a 10 year supply of commercial land to meet a variety of commercial land needs. Some commercial land needs for office and service businesses can be met by general industrial zoning as well as commercial zoning.

Multi-Family Development

Spring 2016 Apartment Project Estimate

Unit Estimates & Year Open		2017	2018	2019
Pending Rezoning Requests				
1	Crane Property on Mortenson (proposed FS-RM 23 acres-352 units)	180	88	84
2	Village Park Cottonwood/S. 530 th Avenue (proposed RH/FS-RM 20 acres- 250 units)	110	70	70
3	Rose Prairie (proposed FS-RM 13 acres)		?	?
Pending LUPP Amendment Requests				
4	S. Duff LUPP Amendment Brick Towne (proposed 40 acres- 700 units)	150	250	300
5	Sheldon/Hyland Campustown LUPP (proposed 1.5 acres-160 units)		160	
Site Plan Approvals				
6	Stadium View (approved 198 units total)	80		
7	122 Hayward (Campustown)	45		
8	Aspen Heights (205 Wilmoth 10 acres)	135		
Vacant Zoned Land				
9	S. 17 th (12 vacant RH acres, limited 525 beds)	?	?	?
10	Quarry Estates (10 acres FS-RM, 80-100 units)		?	?
11	North Dakota/Lincoln Way (3 acres RH, est. 50 units)	?	?	
Estimated Total		700	558	454

**Does not include all projects that will be complete in 2016, e.g. The Edge, ISU Dorm, Campus Avenue, Walnut Ridge, 1st Phase Stadium View, etc.*

Recent development trends of the past 6 years have yielded an annual average of building permits for 295 apartment units and 725 bedrooms. The highest single year of construction was 2014 with building permits for 416 units and 1,190 bedrooms. When considering the city’s apartment construction, it is important to note that student housing generally has a much higher ratio of bedrooms to units compared to standard multi-family housing that is built with mostly one and two-bedroom units. Construction of more “typical” apartment units would then increase the number of units built to yield the same number of bedrooms as compared to prior years.

Based upon staff’s prior assessment of apartment development trends; vacancy rates; economic development; and university enrollment increases, there appears to be a sustainable near term demand for multi-family housing options at levels similar to recent years. Staff specifically believes that multi-family housing targeted to the workforce or the general housing needs of community, beyond student specific housing, has lagged in the past few years and that these types of multi-family are needed within the community. **As indicated in the above table, the range of potential apartment development and sites for apartments exceeds the likely 2-3 year demand from prior years, but may be viewed as meeting longer term needs of the City beyond the next few years. If this project is approved, the City may need to revisit its**

project supply and demand for high density residential based upon the estimates of the table above within any new requests for apartment development.

RH Site Evaluation Matrix. City Council directed that proposals for apartment development be evaluated with the RH matrix. The matrix language was designed to articulate the goals and objectives of the LUPP into specific statements relevant to individual sites and to help establish a common context for evaluation of proposals on a case by case basis. **The purpose of the matrix is to evaluate if a specific site is suitable for multi-family development, the matrix does not set a minimum scoring requirement nor does it evaluate if alternative uses are also suitable for the site proposed as residential.** Staff has “rated” the proposed development, which can be found in Attachment E, and described the highlights of its determinations below. Overall the site received mixed ratings, with much of the details and commitments for site development not included with the LUPP Amendment there are potentially changes in the ratings between the stages of a LUPP Amendment evaluation and a subsequent rezoning request if the LUPP Amendment is approved.

Location/Surroundings: The site is not well integrated into adjoining neighborhoods. To the west is the airport and the site is separated from the residential neighborhood to the east by Highway 69. The airport runway is approximately 700 feet from the western most property line of the subject area. Other uses on South Duff Avenue are the cemetery and a church. However, the site is rather large and can develop its own neighborhood identity with appropriate design and layout.

Employment opportunities would exist within the proposed and adjacent commercial areas. Other opportunities exist in east Ames, along the South Duff Avenue corridor and at the ISU Research Park to the west. This site would also be attractive for those wishing to commute to Huxley or Ankeny.

Site: As noted previously, the site has three drainageways that will need to be improved and around which the development needs to be designed. However, there is no designated floodway fringe on the site. There is a stream channel along the north property line of the site that would likely be modified for a new street intersection and enlarged for storm water detention.

The site will be near the Ames general aviation airport. The airport mostly serves propeller-type airplanes and limited jet service (but no scheduled commercial flights). Because of the location of the development site in relation to the runways, there is no aviation hazard which needs to be avoided or expected impacts on airport operations. The site could have noise complaints depending on the times of flights and sensitivity of residents.

Housing Types and Design: Housing design is not generally required as part of an LUPP request—they may be more important at the rezoning stage. Generally, if information is not available, the project gets a low rating on design issues. The developer proposes to target these apartment units to a workforce resident. He anticipates mostly one-bedroom units in buildings up to about 36 units. The statement of intent for smaller units sizes could be viewed as supporting a needed housing type at the rezoning stage and was rated high in accordance with our desire to broaden

housing options from recent trends. Development is not anticipated to be low or moderate income housing.

Transportation: For transit access, staff rated the site as average due to the front half of the site being within a ¼ mile distance of the bus stop. However, the majority of actual apartment unit locations are likely to end up being further than the ¼ miles target, unless Cyride establishes a new bus stop along Duff Avenue. The nearest Yellow Line stop is at the intersection of Jewel and South Duff. Staff rated the quality of service for the Yellow Line as low reflecting the current use of a small bus on the yellow route. With the yellow route, a person may take a bus and make connections during morning hours or after work to meet an 8 to 5 work schedule. Very limited midday service is provided by Grey Route, and there is no evening or Sunday service.

With added sidewalk and shared use path improvements on South Duff Avenue, access to the north should be much improved. The development should have a well-defined internal shared-use and sidewalk system in order to safely direct users to the South Duff Avenue corridor. Under current conditions though, it has poor connectivity and was rated low.

The commitments that will need to be made for traffic improvements on South Duff Avenue and the various intersections are critical to assuring an improved level of service on this corridor. And the timing of those improvements should be such that they are ahead of the future forecasted demand. With future improvements along the Highway 69 corridor and the site's frontage, this criterion would score higher. The primary concern would be the offsite intersection service levels in the cumulative growth scenarios, with or without this project.

Public Utilities/Services: Staff evaluation of sanitary sewer capacity and water usage does not indicate any constraints for the development. The recommendations of the Teagarden Drainage Study, when implemented with the development, should improve current stormwater drainage issues.

The fire station lies only 3,500 feet north of the southern-most extent of the development. Fire response time should be minimal.

Investment/Catalyst: The City never envisioned this as a potential residential neighborhood before this development was proposed. The size of it could allow it to be a self contained or private community, thus it may become an identifiable development even though its sits outside of an indefinable neighborhood.

Retaining a commercial area at the front will provide shopping and employment opportunities to serve this neighborhood as well as serving the 12,000 vehicles (2011 IDOT traffic count) per day on this section of US Highway 69.

Applicant's Statement. The applicant provided a statement prior to the Planning and Zoning Commission. It can be found in Attachment F.

LUPP Goals. The Goals and Objectives of the Land Use Policy Plan create the vision for the physical development of Ames. Among the goals that are applicable to this proposed amendment are:

Goal No. 1. *Recognizing that additional population and economic growth is likely, it is the goal of Ames to plan for and manage growth within the context of the community's capacity and preferences. It is the further goal of the community to manage its growth so that it is more sustainable, predictable and assures quality of life.*

and

Goal No. 2. *In preparing for the target population and employment growth, it is the goal of Ames to assure the adequate provision and availability of developable land. It is the further goal of the community to guide the character, location, and compatibility of growth with the area's natural resources and rural areas.*

and

Goal No. 6. *It is the goal of Ames to increase the supply of housing and to provide a wider range of housing choices.*

Staff comments: The community is growing, of that there is no doubt. The City tries to maintain and expand housing options while maintaining the balance of housing choices that the market demands. A number of single-family residential subdivisions have or will soon come on line. In addition, apartment construction near campus is attempting to keep pace with enrollment increases. This development proposes a housing type of which the developer believes there is a market for of smaller one-bedroom units, away from campus, and targeted to the local workforce. Staff has identified a need for more "workforce targeted" housing options to diversify from the recent student housing apartment construction. Continued development of high density apartments may begin to peak in the next couple of years and exceed market demand if ISU enrollment stabilizes.

Goal No. 4. *It is the goal of Ames to create a greater sense of place and connectivity, physically and psychologically, in building a neighborhood and overall community identity and spirit. It is the further goal of the community to assure a more healthy, safe, and attractive environment.*

Staff comments: The overall size of this proposed development (44 acres) comprised of some commercial with the residential component, can allow for the development of its own unique neighborhood, the area is not likely to be linked as a sense of place with other surrounding properties. The most difficult issue to evaluate is the site location with its surroundings, including the airport. The development is not planned in an identified aviation hazard area, but is in close proximity to the airport where operation noise could affect future residents. There are no other large scale commercial uses nearby that could affect the living environment.

Transportation improvements are needed for safe access to the site. And with the proposed pedestrian and shared use connections that would accompany it, it should connect to the existing residential neighborhood and adjacent commercial nodes.

Goal No. 5. *It is the goal of Ames to establish a cost-effective and efficient growth pattern for development in new areas and in a limited number of existing areas for intensification. It is a further goal of the community to link the timing of development with the installation of public infrastructure including utilities, multi-modal transportation system, parks and open space.*

Staff comments. The subject area is within the City already, but has not been identified as growth area for residential development. The proposed development requires only the extensions of existing sanitary sewer and water lines that are adjacent. It does not extend the City limits beyond existing borders and can accommodate 700 or more residents.

The identified improvements to stormwater and traffic should ameliorate existing conditions and also accommodate the increases in storm water runoff and increased traffic from the development. These improvements would be needed to support development of the site.

Goal No. 7. *It is the goal of Ames to provide greater mobility through more efficient use of personal automobiles and enhanced availability of an integrated system including alternative modes of transportation.*

Staff comments. The residents of this proposed development will have a variety of transportation options. There is limited access to CyRide adjacent to the site. Improvements to the shared use path and sidewalks will allow that option for access to the north.

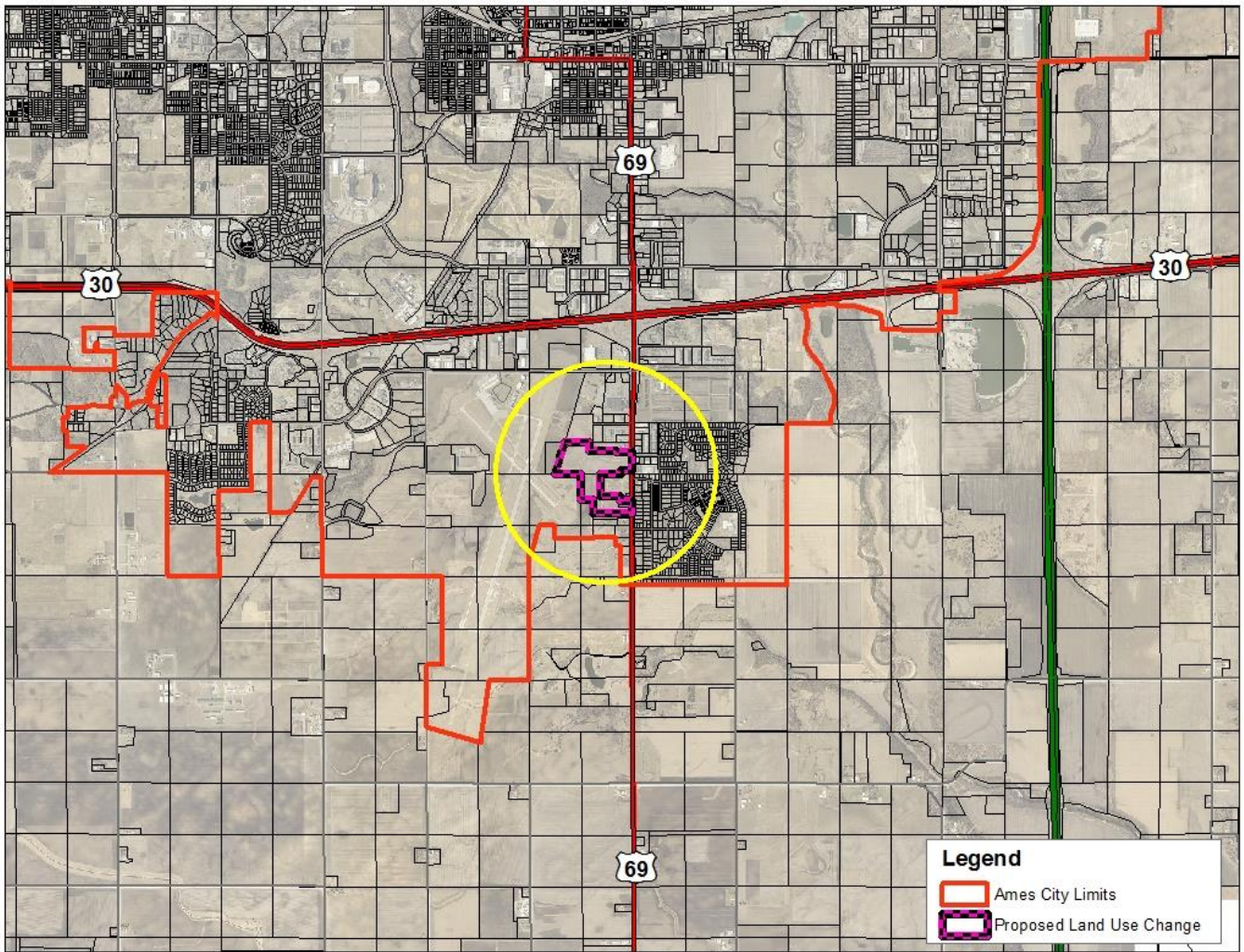
However, it is anticipated that the bulk of the residents will use their automobiles for work, shopping, entertainment, and cultural events. The proposed traffic improvements will accommodate the expected traffic from this development. And, in conjunction with City-sponsored improvements, will mitigate some congestion issues that currently exist.

LUPP Considerations. Appendix C of the Land Use Policy Plan identifies criteria when considering amendments to the Land Use Policy Plan. Some of these criteria parallel those of the RH evaluation criteria—some are unique to the LUPP.

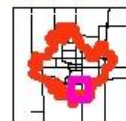
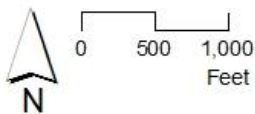
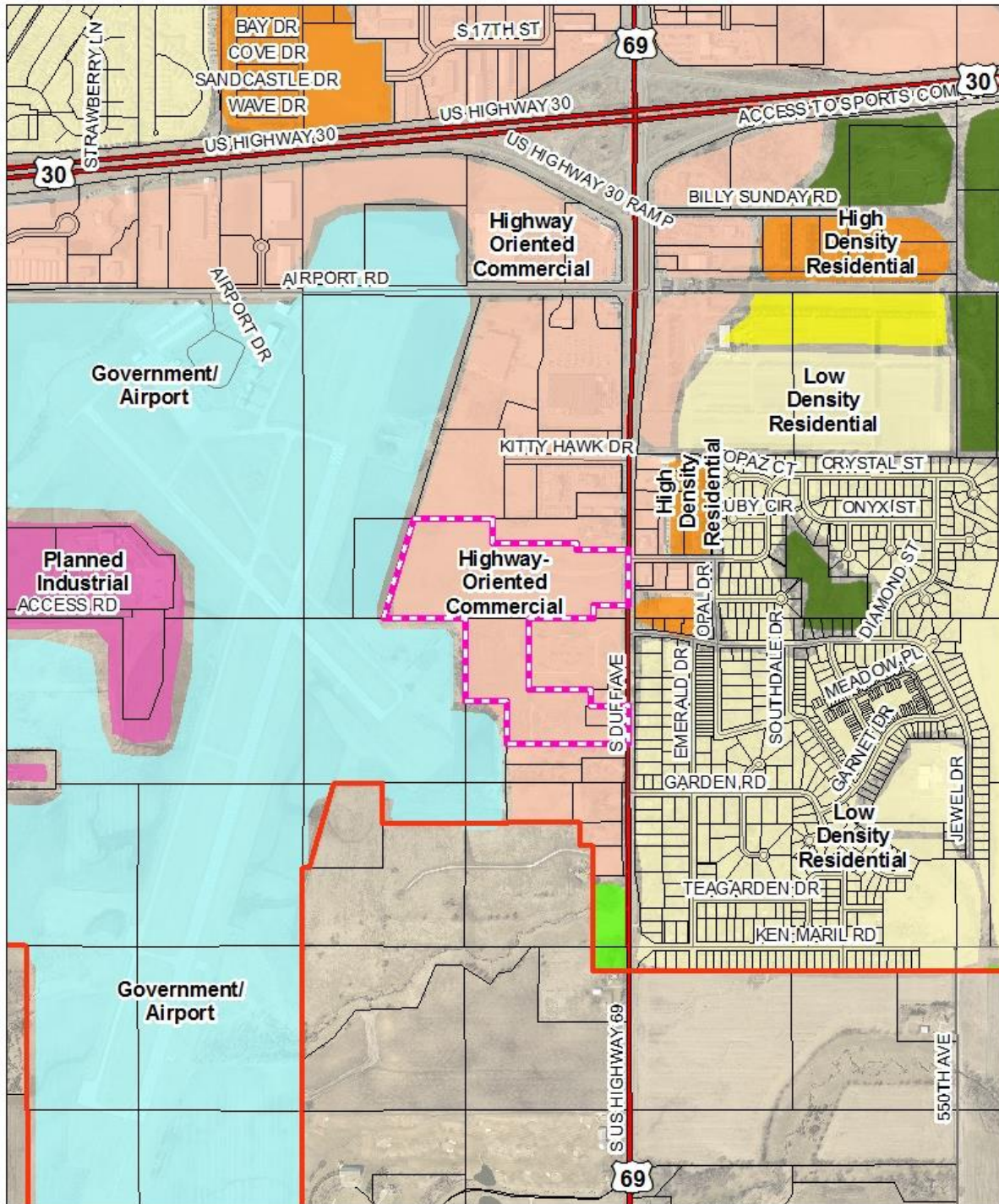
1. *City resources, including staff, budget, utilities, transportation, parks and/or schools, necessary to implement the proposed amendment.*
2. *The City's ability to provide the full range of public facilities and services at the planned level of service, or if the proposal will consume public resources otherwise needed to support comprehensive plan implementation strategies.*
3. *How the proposal relates to current land use allocations and growth projections that are the basis of the comprehensive plan.*
4. *Compatibility of development allowed under the proposal amendment with neighboring land uses and surrounding neighborhoods, if applicable.*

5. *Affects of the proposed amendment on historic resources or neighborhoods, or the City's general sense of place.*
6. *The cumulative impacts of the proposed amendment, in combination with other proposed or recently approved amendments.*

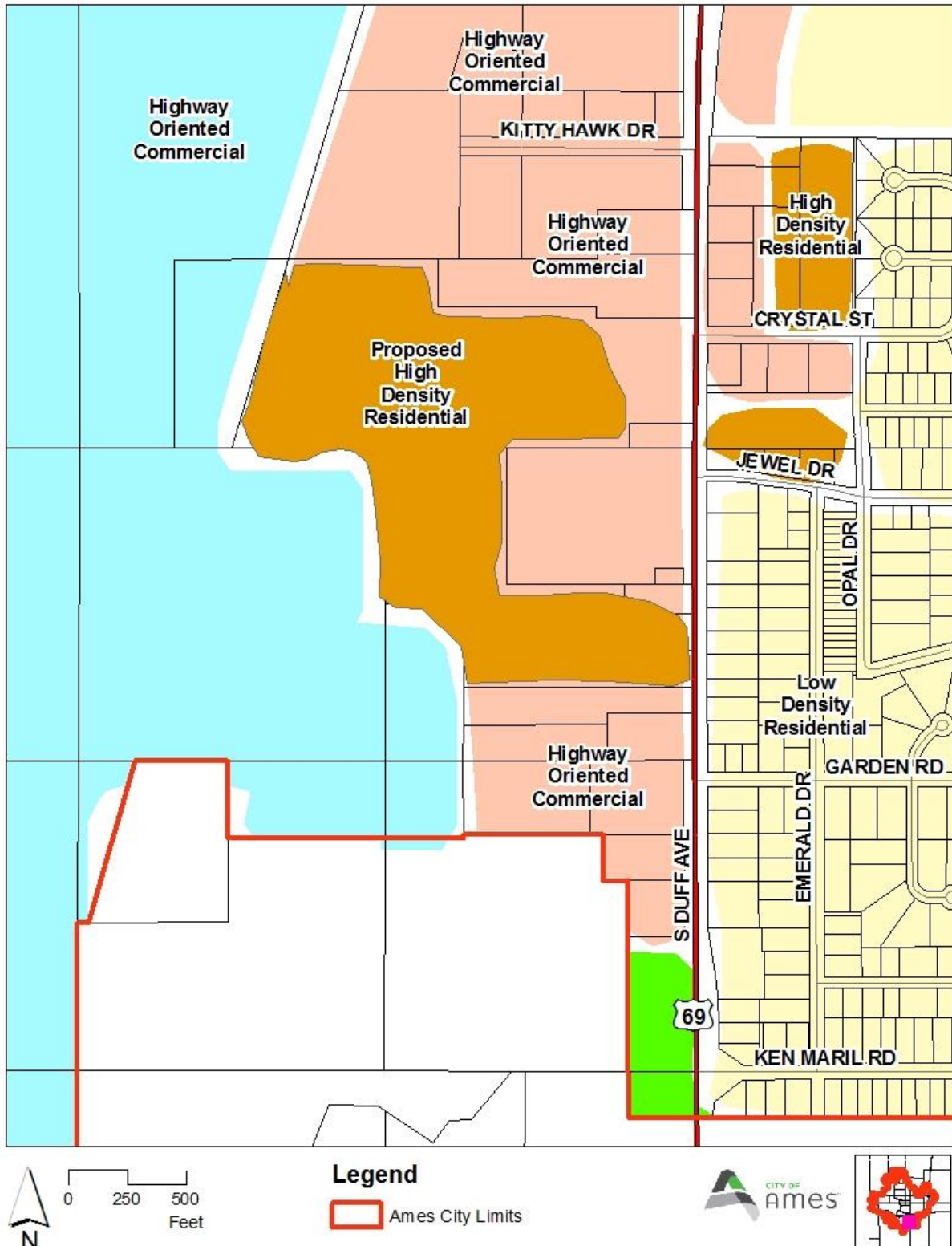
Attachment A: Location



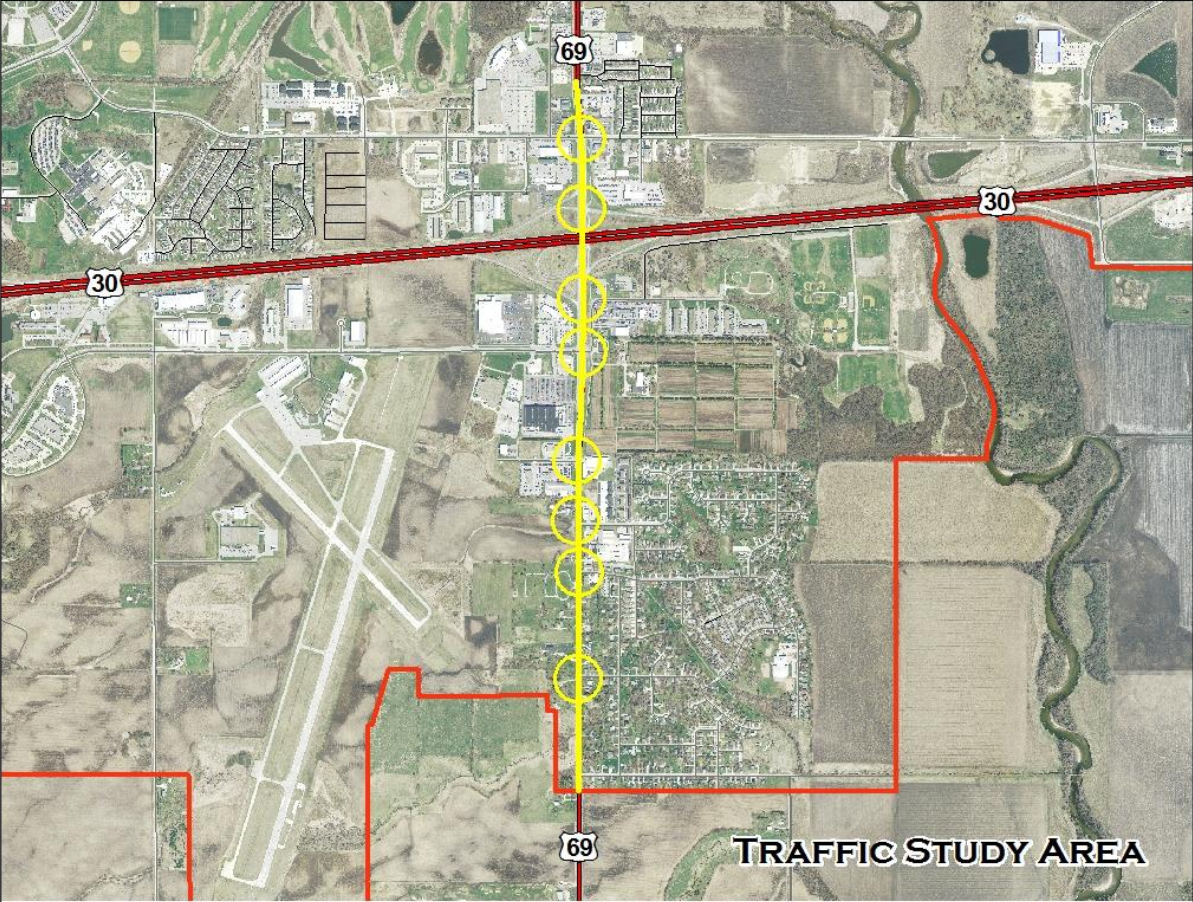
Attachment B: Existing LUPP Future Land Use Map [Excerpt]



Attachment C: Proposed LUPP Future Land Use Map [Excerpt]



Attachment D: Traffic Study Area



Attachment E: RH Site Evaluation Matrix

RH Site Evaluation Matrix	Project Consistency		
	High	Average	Low
Location/Surroundings			
Integrates into an existing neighborhood with appropriate interfaces and transitions High=part of a neighborhood, no significant physical barriers, includes transitions; Average=adjacent to neighborhood, some physical barriers, minor transitions; Low=separated from an residential existing area, physical barriers, no transitions available			X
Located near daily services and amenities (school, park ,variety of commercial) High=Walk 10 minutes to range of service; Average=10 to 20 minutes to range of service; Low= Walk in excess of 20 minutes to range of service. *Parks and Recreation has specific service objectives for park proximity to residential		X	
Creates new neighborhood, not an isolated project (If not part of neighborhood, Does it create a critical mass or identifiable place, support to provide more services?)		X	
Located near employment centers or ISU Campus (High=10 minute bike/walk or 5 minute drive; Average is 20 minute walk or 15 minute drive; Low= exceeds 15 minute drive or no walkability)	X		
Site			
Contains no substantial natural features on the site (woodlands, wetlands, waterways)			X
Located outside of the Floodway Fringe	X		
Separated adequately from adjacent noise, business operations, air quality (trains, highways, industrial uses, airport approach)			X
Ability to preserve or sustain natural features		X	
Housing Types and Design			
Needed housing or building type or variety of housing types	X		
Architectural interest and character			X
Site design for landscape buffering			X
Includes affordable housing (Low and Moderate Income))			X

Transportation			
Adjacent to CyRide line to employment/campus High=majority of site is 1/8 miles walk from bus stop; Average= majority of site 1/4 mile walk from bus stop; Low= majority of site exceeds 1/4 miles walk from bus stop.		X	
CyRide service has adequate schedule and capacity High=seating capacity at peak times with schedule for full service Average=seating capacity at peak times with limited schedule Low=either no capacity for peak trips or schedule does not provide reliable service		X	
Pedestrian and Bike path or lanes with connectivity to neighborhood or commute			X
Roadway capacity and intersection operations (existing and planned at LOS C)			X
Site access and safety		X	
Public Utilities/Services			
Adequate storm, water, sewer capacity for intensification High=infrastructure in place with high capacity Average=infrastructure located nearby, developer obligation to extend and serve Low=system capacity is low, major extension needed or requires unplanned city participation in cost.		X	
Consistent with emergency response goals High=Fire average response time less than 3 minutes Average=Fire average response time within 3-5 minutes Low=Fire average response time exceeds 5 minutes, or projected substantial increase in service calls	X		
Investment/Catalyst			
Support prior City sponsored neighborhood/district investments or sub-area planning			X
Creates character/identity/sense of place			X
Encourages economic development or diversification of retail commercial (Mixed Use Development)		X	

Attachment F: Applicant's Statement

MEMO: LUPP Amendment Public Hearing

To: Planning and Zoning Commission,

As a representative of The Jensen Group, I regret being unable to attend your May 4th meeting due to a scheduling conflict. As you know, this proposal has been under review for nearly 18 months. We have invested substantially in this project through land assemblage, traffic studies, storm water studies, concept drawings and the like. We are committed to proceeding in a way that is respectful to the key stakeholders- neighbors, business owners and the environment.

City staff have notified us that this LUPP process has only occurred one other time in the history of our community. Although it can be confusing and frustrating, we believe the benefits of this proposal make it worthwhile for all of us to work together for a positive outcome.

We have hosted two well-attended workshops/open houses at New Life Church on February 17, 2015 and March 8, 2016. At both events, key stakeholders were present to learn, ask questions and interact with our proposal. We were successful in our ability to communicate the various issues and provide sound solutions. We were also assigned to a staff report and update at the Planning and Zoning meeting on March 15, 2016 and City Council meeting on April 8, 2016.

The May 4 meeting, as we understand, will include a public hearing on our proposal. We will be reviewing the commission minutes and watching a recording of the video stream to take additional notes and receive comments from the meeting. It is always our priority to meet with any concerned stakeholder to address questions or items of concern.

An amendment to the LUPP is warranted in this case due to several factors. First and foremost, demand for workforce focused housing stock is rising. This project is situated geographically to meet those needs. This parcel's configuration and lack of relative market demand make its development as strictly HOC difficult.

In addition to helping Ames meet the rising demand for workforce housing stock, this project also provides resolution for two existing and long-standing issues near the proposed site. Over the past years, several studies have identified traffic congestion (see Traffic Study) and serious storm water runoff issues from city property on the west side of Duff Avenue (see Teagarden Study 2011-2015) that affect adjacent homeowners. Thus far, nothing has been done to address these widely known issues.

This project's initiation and completion would provide a cost effective and efficient step in the right direction as the development's location would include modern stormwater management practices and could also result in lane widening and an additional traffic signal for the area that could make traffic flow safer and less congested.

This proposal is a sensible and market driven. It provides a foundation on which economic growth and community development can be built. It provides a larger tax base, provides growth for surrounding businesses and also provides the City with an excellent opportunity to cooperate with the private sector to rectify current infrastructure issues which make this a proverbial win-win-win.

We respectfully request the Planning and Zoning Commission select Option 1 and move this proposal to the City Council with full support.

Thanks,

Luke Jensen

515.290.3487

COUNCIL ACTION FORM

SUBJECT: FINAL AMENDMENT TO FISCAL YEAR 2015/16 ADJUSTED BUDGET

BACKGROUND:

The Code of Iowa requires that city spending by program not exceed Council approved budget amounts at any time during the year. To maintain compliance, the City of Ames monitors spending against the approved budget and prepares amendments to the budget several times during the fiscal year. Last fall, a first amendment was prepared to carry over unspent project amounts from fiscal year 2014/15. The 2015/16 budget was amended again as part of the adoption process for the Fiscal Year 2016/17 budget in March. **A final spring amendment is done to adjust for any significant changes that have occurred since the March amendment.** This amendment is typically impacted by the early start of capital improvement projects approved for the following fiscal year, by new grants that have been received with their associated project expenses, and by any other significant changes in CIP projects, operating expenses, or revenues.

In total, the final FY 2015/16 budget includes a revenue increase of \$299,867 and an expenditures increase of \$1,334,815. Much of the increase in expenditures is due to grant-funded projects and the replacement of fleet equipment for which reserve funds were previously collected. **The attached Final Amendment Report provides a detailed description of the proposed revenue and expense changes by fund.**

ALTERNATIVES:

1. Adopt a resolution amending the Fiscal Year 2015/16 Budget as shown on the attached summary, thereby increasing revenues by \$299,867 and expenses by \$1,334,815.
2. Refer this item back to staff for additional information or other adjustments to the amendments.

MANAGER'S RECOMMENDED ACTION:

Amending the FY 2015/16 budget better reflects the estimated revenues and expenditures that will occur by June 30, and will allow the City to remain compliant with state budget laws.

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

CITY OF AMES, IOWA

**2015/2016
FINAL AMENDMENT
REPORT**

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ALL FUNDS – REVENUE SUMMARY

	2014/15 Actual	2015/16 Adopted	2015/16 Adjusted	2015/16 Final Amended	% Change From Adjusted
Property Taxes	25,403,713	26,000,576	26,000,576	26,000,576	0.0%
Other Taxes:					
Utility Excise Tax	60,871	59,156	59,156	59,156	0.0%
State Replacement Tax	524,306	1,038,180	1,038,180	1,038,180	0.0%
Local Option Sales Tax	7,996,943	7,484,605	7,831,295	7,831,295	0.0%
Hotel/Motel Tax	2,094,535	1,775,000	2,000,000	2,000,000	0.0%
	<u>10,676,655</u>	<u>10,356,941</u>	<u>10,928,631</u>	<u>10,928,631</u>	<u>0.0%</u>
Licenses & Permits	<u>2,050,635</u>	<u>1,486,425</u>	<u>1,532,025</u>	<u>1,532,025</u>	<u>0.0%</u>
Intergovernmental Revenue:					
State Road Use Tax	6,282,692	5,925,077	7,105,282	7,105,282	0.0%
Federal Grants	2,337,824	3,413,760	4,667,449	5,220,144	11.8%
State Grants/SRF Funding	10,113,893	39,982,854	63,395,675	63,715,675	0.5%
Monies & Credits	19,108	17,818	19,000	19,000	0.0%
County Contributions	128,530	118,000	128,342	128,342	0.0%
Other Intergovernmental Revenue	5,416,798	6,071,493	6,467,958	6,505,558	0.6%
	<u>24,298,845</u>	<u>55,529,002</u>	<u>81,783,706</u>	<u>82,694,001</u>	<u>1.1%</u>
Charges for Services:					
Utility Charges	74,853,375	78,471,942	78,408,463	78,035,112	-0.5%
Other Charges for Services	8,917,135	9,021,179	9,041,514	8,616,514	-4.7%
	<u>83,770,510</u>	<u>87,493,121</u>	<u>87,449,977</u>	<u>86,651,626</u>	<u>-0.9%</u>
Fines, Forfeit, & Penalty	797,495	797,000	805,094	760,094	-5.6%
Use of Money & Property:					
Interest Revenue	1,032,496	735,200	722,600	784,100	8.5%
Other Uses of Money/Property	917,660	948,961	963,479	937,397	-2.7%
	<u>1,950,156</u>	<u>1,684,161</u>	<u>1,686,079</u>	<u>1,721,497</u>	<u>2.1%</u>
Miscellaneous Revenues:					
Proceeds from Bonds	9,695,000	32,767,990	29,623,975	29,623,975	0.0%
Other Miscellaneous Revenue	2,525,776	2,506,424	3,368,250	3,594,630	6.7%
	<u>12,220,776</u>	<u>35,274,414</u>	<u>32,992,225</u>	<u>33,218,605</u>	<u>0.7%</u>
Internal Service Revenue	<u>16,750,889</u>	<u>16,526,424</u>	<u>16,375,376</u>	<u>16,375,376</u>	<u>0.0%</u>
Total Before Transfers	177,919,674	235,148,064	259,553,689	259,882,431	0.1%
Transfers	16,312,704	16,745,333	31,761,516	31,732,641	-0.1%
Total Revenues	<u>194,232,378</u>	<u>251,893,397</u>	<u>291,315,205</u>	<u>291,615,072</u>	<u>0.1%</u>

TOTAL EXPENDITURES BY PROGRAM

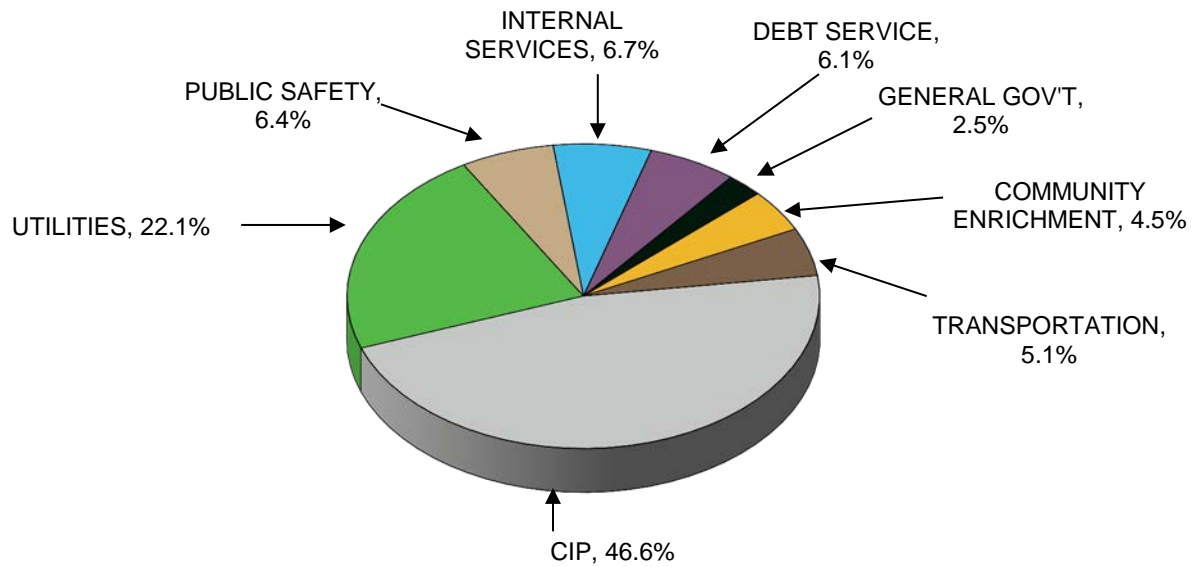
	2014/15 Actual	2015/16 Adopted	2015/16 Adjusted	2015/16 Final Amended	% Change From Adjusted
Operations:					
Public Safety:					
Law Enforcement	8,416,596	8,820,192	8,888,067	8,918,067	0.3%
Fire Safety	6,235,040	6,607,573	6,483,548	6,491,143	0.1%
Building Safety	1,195,336	1,459,409	1,441,226	1,441,226	0.0%
Traffic Control	934,862	989,151	1,067,791	1,067,791	0.0%
Animal Control	375,289	366,233	377,521	377,521	0.0%
Other Public Safety	750,388	794,500	794,500	794,500	0.0%
Total Public Safety	17,907,511	19,037,058	19,052,653	19,090,248	0.2%
Utilities:					
Electric Services	45,855,063	51,383,447	51,790,388	51,790,388	0.0%
Water and Pollution Control	6,701,885	7,339,701	7,177,590	7,182,478	0.1%
Utility Maintenance	1,476,787	1,607,318	1,560,902	1,560,902	0.0%
Storm Sewer Maintenance	215,811	252,189	255,267	255,267	0.0%
Resource Recovery	3,778,791	3,793,759	4,020,717	3,665,717	-8.8%
Utility Customer Service	1,382,517	1,505,211	1,478,847	1,478,847	0.0%
Total Utilities	59,410,854	65,881,625	66,283,711	65,933,599	-0.5%
Transportation:					
Street Maintenance	1,686,892	1,639,442	1,756,642	1,756,642	0.0%
Street Cleaning	249,853	262,470	256,055	256,055	0.0%
Snow and Ice Control	930,660	1,151,047	1,095,492	1,095,492	0.0%
Right-of-Way Maintenance	698,425	888,251	895,919	895,919	0.0%
Public Parking	823,751	851,900	879,585	879,585	0.0%
Transit System	9,413,637	10,230,327	10,018,919	10,018,919	0.0%
Airport Operations	149,835	138,136	140,486	140,486	0.0%
Total Transportation	13,953,053	15,161,573	15,043,098	15,043,098	0.0%
Community Enrichment:					
Parks and Recreation	3,952,204	4,120,761	4,433,504	4,433,504	0.0%
Library Services	3,823,942	4,039,191	4,265,389	4,329,010	1.5%
Human Services	1,143,231	1,233,357	1,229,023	1,229,023	0.0%
Art Services	165,618	189,733	222,189	222,189	0.0%
Cemetery	139,615	168,195	164,074	164,074	0.0%
City-Wide Housing Programs	39,090	48,754	52,855	52,855	0.0%
CDBG Program	531,810	487,470	1,197,998	1,197,998	0.0%
Economic Development	1,767,150	1,491,171	1,652,537	1,652,537	0.0%
Cable TV Services	142,673	139,415	142,728	142,728	0.0%
Total Community Enrichment	11,705,333	11,918,047	13,360,297	13,423,918	0.5%

TOTAL EXPENDITURES BY PROGRAM, continued

	2014/15 Actual	2015/16 Adopted	2015/16 Adjusted	2015/16 Final Amended	% Change From Adjusted
General Government:					
City Council	278,626	332,912	364,459	364,459	0.0%
City Clerk	340,241	357,296	357,271	357,271	0.0%
City Manager	672,289	734,993	669,062	669,062	0.0%
Public Relations	171,081	185,450	385,265	385,265	0.0%
Planning Services	669,138	828,020	1,072,292	1,072,292	0.0%
Financial Services	1,653,816	1,720,745	1,739,286	1,739,286	0.0%
Legal Services	616,908	642,444	657,676	697,676	6.1%
Human Resources	433,573	517,277	418,864	418,864	0.0%
Facilities	409,489	427,255	541,560	541,560	0.0%
Public Works	715,772	1,267,150	1,217,763	1,217,763	0.0%
Merit Adjustment	-	174,971	-	-	
Total General Government	5,960,933	7,188,513	7,423,498	7,463,498	0.5%
Total Operations	108,937,684	119,186,816	121,163,257	120,954,361	-0.2%
CIP:					
Public Safety CIP	883,503	2,243,175	4,909,671	5,028,531	2.4%
Utilities CIP	28,068,170	69,061,900	88,533,797	89,081,604	0.6%
Transportation CIP	11,511,921	20,543,718	38,809,181	38,832,233	0.1%
Community Enrichment CIP	4,476,961	1,239,000	3,423,491	3,423,491	0.0%
General Government CIP	945,144	50,000	1,753,157	2,073,157	18.3%
Internal Services CIP	104,720	111,000	140,521	140,521	0.0%
Total CIP	45,990,419	93,248,793	137,569,818	138,579,537	0.7%
Debt Service:					
General Obligation Bonds	9,743,158	10,671,238	15,892,243	15,892,243	0.0%
Electric Revenue Bonds	-	-	961,946	961,946	0.0%
SRF Loan Payments	234,981	1,122,492	1,122,492	1,122,492	0.0%
Bond Costs	97,189	-	127,901	127,901	0.0%
Total Debt Service	10,075,328	11,793,730	18,104,582	18,104,582	0.0%
Internal Services:					
Fleet Services	3,507,403	4,288,045	5,919,851	6,387,976	7.9%
Information Technology	2,174,705	2,237,158	2,840,375	2,855,117	0.5%
Risk Management	2,225,945	2,361,272	2,371,895	2,451,895	3.4%
Health Insurance	8,448,492	8,165,749	8,328,032	8,328,032	0.0%
Total Internal Services	16,356,545	17,052,224	19,460,153	20,023,020	2.9%
Total Expenditures Before Transfers	181,359,976	241,281,563	296,297,810	297,661,500	0.5%
Transfers:	16,312,704	16,745,333	31,761,516	31,732,641	-0.1%
Total Expenditures	197,672,680	258,026,896	328,059,326	329,394,141	0.4%

TOTAL EXPENDITURES BY PROGRAM, continued

WHERE THE MONEY IS SPENT... 2015/16 FINAL AMENDED BUDGET

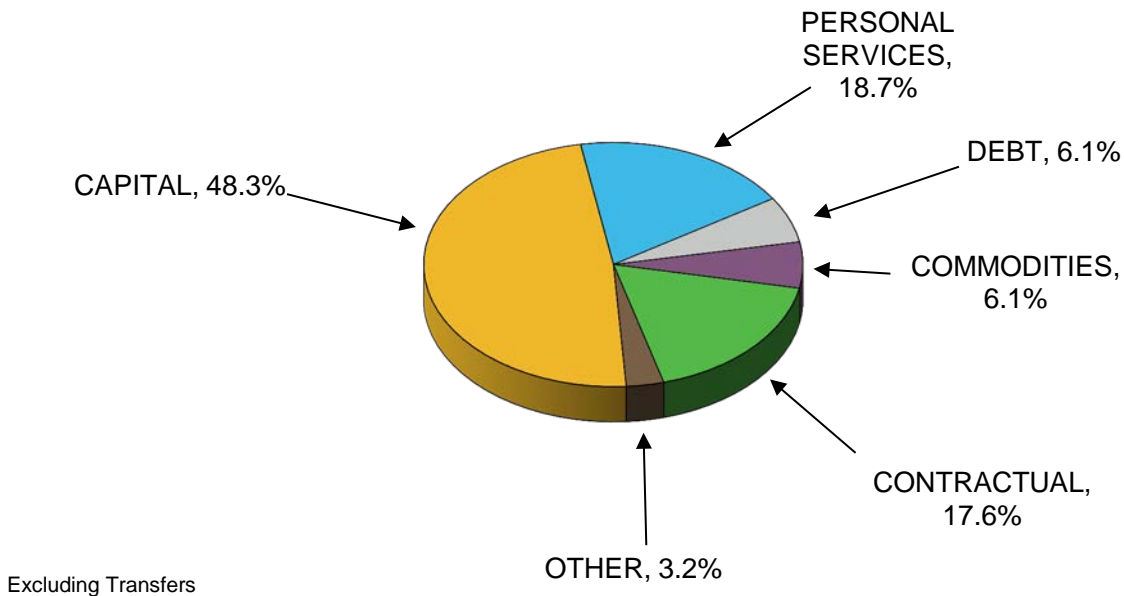


Excluding Transfers

TOTAL EXPENDITURES BY CATEGORY

	2014/15 Actual	2015/16 Adopted	2015/16 Adjusted	2015/16 Final Amended	% Change From Adjusted
Personal Services	53,661,864	57,055,783	55,607,117	55,661,617	0.1%
Contractual	48,542,823	48,790,563	53,449,710	52,456,568	-1.9%
Commodities	21,968,604	19,820,031	17,512,462	18,275,585	4.4%
Capital	37,437,963	94,615,859	142,190,606	143,649,815	1.0%
Debt	10,075,328	11,793,730	18,104,582	18,104,582	0.0%
Other (Refunds, Insurance Claims, etc)	9,673,394	9,205,597	9,433,333	9,513,333	0.9%
Total Expenditures Before Transfers	181,359,976	241,281,563	296,297,810	297,661,500	0.5%
Transfers	16,312,704	16,745,333	31,761,516	31,732,641	-0.1%
Total Expenditures	197,672,680	258,026,896	328,059,326	329,394,141	0.4%

BREAKDOWN BY MAJOR EXPENSE CATEGORY 2015/16 FINAL AMENDED BUDGET



REVENUE CHANGES BY FUND

	2015/16 Adjusted	2015/16 Final Changes	2015/16 Final Amended	% Change From Adjusted
General Fund	33,776,418	(37,405)	33,739,013	-0.1%
Special Revenue Funds:				
Local Option Sales Tax	7,945,580	-	7,945,580	0.0%
Hotel/Motel Tax	2,000,000	-	2,000,000	0.0%
Road Use Tax	7,105,282	-	7,105,282	0.0%
Public Safety Special Revenues	34,752	-	34,752	0.0%
City-Wide Housing Programs	860	-	860	0.0%
CDBG Program	1,176,915	-	1,176,915	0.0%
Employee Benefit Property Tax	1,810,706	-	1,810,706	0.0%
Police/Fire Retirement	4,000	-	4,000	0.0%
Parks & Rec Grants/Donations	19,740	30,120	49,860	152.6%
Library Friends Foundation	78,025	63,621	141,646	81.5%
Library Grants/Donations	69,435	26,309	95,744	37.9%
Utility Assistance	16,000	-	16,000	0.0%
Tax Increment Financing (TIF)	745,083	-	745,083	0.0%
	21,006,378	120,050	21,126,428	0.6%
Capital Project Funds:				
Special Assessments	451,495	-	451,495	0.0%
Street Construction	9,974,546	97,460	10,072,006	1.0%
Airport Construction	1,082,813	-	1,082,813	0.0%
Park Development	2,809,459	-	2,809,459	0.0%
General Obligation Bonds	12,253,975	-	12,253,975	0.0%
	26,572,288	97,460	26,669,748	0.4%
Permanent Funds:				
Cemetery Perpetual Care	10,500	-	10,500	0.0%
Furman Aquatic Center Trust	7,200	-	7,200	0.0%
	17,700	-	17,700	0.0%
Enterprise Funds:				
Water Utility	51,287,075	(112,582)	51,174,493	-0.2%
Sewer Utility	19,869,290	(215,351)	19,653,939	-1.1%
Electric Utility	82,438,159	-	82,438,159	0.0%
Parking	881,820	-	881,820	0.0%
Transit	14,776,120	-	14,776,120	0.0%
Storm Sewer Utility	2,753,842	872,695	3,626,537	31.7%
Ames/ISU Ice Arena	590,519	-	590,519	0.0%
Homewood Golf Course	271,442	-	271,442	0.0%
Resource Recovery	4,242,257	(425,000)	3,817,257	-10.0%
	177,110,524	119,762	177,230,286	0.1%

REVENUE CHANGES BY FUND, continued

	2015/16 Adjusted	2015/16 Final Changes	2015/16 Final Amended	% Change From Adjusted
Debt Service Fund	15,951,155	-	15,951,155	0.0%
Internal Service Funds:				
Fleet Services	4,111,603	-	4,111,603	0.0%
Information Technology	2,276,225	-	2,276,225	0.0%
Risk Insurance	2,345,950	-	2,345,950	0.0%
Health Insurance	8,146,964	-	8,146,964	0.0%
	16,880,742	-	16,880,742	0.0%
Total Revenues	291,315,205	299,867	291,615,072	0.1%

EXPENDITURE CHANGES BY FUND

	2015/16 Adjusted	2015/16 Final Changes	2015/16 Final Amended	% Change From Adjusted
General Fund	35,434,570	77,595	35,512,165	0.2%
Special Revenue Funds:				
Local Option Sales Tax	11,432,076	-	11,432,076	0.0%
Hotel/Motel Tax	2,124,185	-	2,124,185	0.0%
Road Use Tax	9,230,115	21,400	9,251,515	0.2%
Public Safety Special Revenues	57,004	-	57,004	0.0%
City-Wide Housing Programs	52,855	-	52,855	0.0%
CDBG Program	1,197,998	-	1,197,998	0.0%
Employee Benefit Property Tax	1,810,706	-	1,810,706	0.0%
Police/Fire Retirement	250,000	-	250,000	0.0%
Parks & Rec Grants/Donations	1,836,438	-	1,836,438	0.0%
Library Friends Foundation	138,069	34,746	172,815	25.2%
Library Grants/Donations	183,652	-	183,652	0.0%
Utility Assistance	16,000	-	16,000	0.0%
Developer Projects	5,500	-	5,500	0.0%
Tax Increment Financing (TIF)	190,723	-	190,723	0.0%
	28,525,321	56,146	28,581,467	0.2%

EXPENDITURE CHANGES BY FUND, continued

	2015/16 Adjusted	2015/16 Final Changes	2015/16 Final Amended	% Change From Adjusted
Capital Project Funds:				
Special Assessments	451,495	-	451,495	0.0%
Street Construction	9,560,708	97,460	9,658,168	1.0%
Airport Construction	1,011,304	-	1,011,304	0.0%
Park Development	370,892	-	370,892	0.0%
General Obligation Bonds	25,942,772	-	25,942,772	0.0%
	37,337,171	97,460	37,434,631	0.3%
Enterprise Funds:				
Water Utility	47,330,825	-	47,330,825	0.0%
Sewer Utility	20,009,738	-	20,009,738	0.0%
Electric Utility	97,613,547	23,052	97,636,599	0.0%
Parking	958,014	-	958,014	0.0%
Transit	14,822,025	-	14,822,025	0.0%
Storm Sewer Utility	4,095,078	872,695	4,967,773	21.3%
Ames/ISU Ice Arena	912,505	-	912,505	0.0%
Homewood Golf Course	251,327	-	251,327	0.0%
Resource Recovery	5,263,988	(355,000)	4,908,988	-6.7%
	191,257,047	540,747	191,797,794	0.3%
Debt Service Fund	15,904,543	-	15,904,543	0.0%
Internal Service Funds:				
Fleet Services	6,060,372	468,125	6,528,497	7.7%
Information Technology	2,840,375	14,742	2,855,117	0.5%
Risk Insurance	2,371,895	80,000	2,451,895	3.4%
Health Insurance	8,328,032	-	8,328,032	0.0%
	19,600,674	562,867	20,163,541	2.9%
Total Expenditures	328,059,326	1,334,815	329,394,141	0.4%

FINAL AMENDMENT CHANGES BY FUND

General Fund

The General Fund's projected revenue has been decreased by \$45,000 to reflect lower than anticipated municipal infraction revenue received so far in FY 2015/16. A revenue amount of \$7,595 was also added to reflect insurance proceeds that were received for the storm damage to the Fire Station No. 3 overhead garage doors in June of 2015.

In addition to the storm damage expenditure of \$7,595, amounts have been added to General Fund expenditures to cover the cost of outside attorney services while the Legal Services Department is not fully staffed (\$40,000), and the cost of arbitration and legal fees for union negotiations (\$30,000). Although these expenditure increases will likely be offset by City-wide savings, the current effect of the changes in revenues and expenses is a projected decrease in the General Fund balance of \$115,000.

In General Fund CIP projects, anticipated savings of \$100,000 in the City Hall roof project have been shifted to the City Hall parking lot and storm water improvements project.

Local Option Sales Tax Fund

Savings in the following Parks and Recreation CIP projects:

• Bandshell Improvements	\$ 65,000
• River Valley Improvements	18,774
• Emma McCarthy Lee Park	5,450
• Homewood Golf Course	1,961
• Ada Hayden Heritage Park	95,144
	<hr/>
	\$ 186,329

were shifted to the following projects:

• Park Facility Improvements	\$ 77,138
• Sand Volleyball Court	15,566
• Aquatic Center Improvements	42,514
• Ada Hayden NW Parking Lot	5,467
• Playground/Park Equipment	35,000
• Greenbriar Park Development	644
• Northridge Heights Park	10,000
	<hr/>
	\$ 186,329

Road Use Tax Fund

Expenditures in the Road Use Tax Fund have been increased by \$21,400 to cover the cost of replacing the traffic signal at the intersection of South Duff Avenue and Airport Road that was damaged by a storm in June 2015. This is the portion of the cost that was not covered by insurance proceeds.

Parks and Recreation Donations/Grants Fund

Revenues of \$30,120 have been added to reflect donations that have been received in FY 2015/16.

Library Friends Foundation Fund

Funds of \$63,621 that will be received through a Library Friends Foundation grant for the Small Talk program have been added to the budget, along with an offsetting amount in expenditures. Expenditures have been reduced by \$28,875 to reflect a reduction in the transfer to the Library Donations/Grants Fund. These funds will instead be held in the Friends Foundation Fund to provide additional funding for the Library's internship program.

Library Donations/Grants Fund

The transfer from the Library Friends Foundation Fund was reduced by \$28,875, as those funds were earmarked for the Library internship program. This decrease, however, has been more than offset by an increase in donations of \$55,184, resulting in a net revenue increase of \$26,309.

Street Construction Fund

A revenue and an expenditure of \$45,140 have been added to this fund to reflect the portion of the traffic signal replacement at South Duff Avenue and Airport Road that was covered by insurance proceeds. Additional funding of \$27,600 from Iowa State University for its portion of the 13th Street and Stange Road traffic signal replacement has also been added to both revenue and expenditures.

Expenditures of \$24,720 have also been added for the Crane Farm traffic study. A matching offsetting revenue has been included for the developer reimbursement for the study.

Water Utility Fund

Revenues in the Water Utility Fund have been decreased by \$112,582, largely due to a decrease in Metered Sales. The reduction is based on lower than expected year-to-date revenues due to a wet late fall and early winter.

In expenses, the \$8,330 cost of replacing SCADA radios was covered by \$3,442 in operational savings and a reduction of \$4,888 to the North Dakota Tower Decommissioning CIP project.

Sewer Utility Fund

Sewer Utility revenues have been decreased by \$215,351, again largely due to reductions in Metered Services due to wet weather conditions.

In CIP projects, \$25,800 in savings in the WPC Replacement Blower project has been shifted to the WPC Mechanical/HVAC Systems project.

Electric Utility Fund

The Fuel and Purchased Power budget was reduced by \$650,000, and these funds were shifted to the Electric Production budget. The transfer of \$400,000 was needed to cover fundamental changes to the method used to contain and dispose of coal combustion residuals due to new EPA regulations. The additional \$250,000 will be used to assist with the cost of replacing the expansion joints in the Unit #8 electrostatic precipitator, which were found to have deteriorated to the point where they were no longer effective. The additional funds necessary for the Power Plant projects were available in the Fuel and Purchased Power budget due to less natural gas being purchased in FY 2015/16 than was originally anticipated.

Budgeted expenses of \$23,052 are also being added for electric work being done in conjunction with street construction CIP projects.

Storm Water Utility Fund

Revenues and expenses in the Storm Water Utility have been increased by \$552,695 to reflect additional grant funding received for Phase II of the Squaw Creek Water Main Protection project. The total funding for Phase I and Phase II of this project is now budgeted at \$677,195.

Funding and offsetting project expenses of \$320,000 have also been included for Iowa DNR SRF Sponsored Grant Program funding. This funding will be used for storm water improvements that will be done in conjunction with the City Hall parking lot project.

Resource Recovery

Resource Recovery revenues have been decreased by \$425,000. Commercial accounts were reduced by \$300,000 and the sale of RDF fuel to the Power Plant was reduced by \$100,000 due to plant shutdowns resulting from the natural gas conversion project at the Power Plant. Sale of metals was also reduced by \$25,000. Operating expenses in process operations, ferrous and non-ferrous metals operations, and reject disposals were reduced by \$355,000, resulting in a net decrease of \$70,000 to Resource Recovery's anticipated fund balance.

Fleet Services Fund

Expenses in the Fleet Services Fund have been increased by \$468,125 for purchases of fleet equipment. A Public Works backhoe that was scheduled for replacement in FY 2016/17 was moved ahead due to damage to the rear axle that would have been very expensive to repair. A smaller, more versatile unit was purchased instead at a cost of \$133,800. A crane truck used by the Electric Distribution Department was also damaged. A larger crane truck that could be better utilized in upcoming Electric Services projects was purchased at a cost of \$275,000. These purchases, along with several smaller upgrades and replacements, will utilize previously accumulated fleet reserve funds.

Information Technology Fund

The use of technology reserve funds has been increased by \$14,742 to purchase technology equipment for various City departments. This equipment will be purchased using previously accumulated technology reserve funds.

Risk Management Fund

The expense budget for liability claims in the Risk Management fund has been increased by \$80,000. Multiple large claims, where the City was responsible for deductible and legal fee payments, were settled this year. Five of these claims were from prior fiscal years.

**NOTICE OF PUBLIC HEARING
AMENDMENT OF CURRENT CITY BUDGET**

Form 653.C1

The City Council of Ames in STORY County, Iowa
will meet at City Hall, 515 Clark Avenue, Ames, IA
at 6:00 PM on 5/24/2016
(hour) (Date)

for the purpose of amending the current budget of the city for the fiscal year ending June 30, 2016
(year)

by changing estimates of revenue and expenditure appropriations in the following programs for the reasons given. Additional detail is available at the city clerk's office showing revenues and expenditures by fund type and by activity.

	Total Budget as certified or last amended	Current Amendment	Total Budget after Current Amendment
Revenues & Other Financing Sources			
Taxes Levied on Property	1 25,941,230	0	25,941,230
Less: Uncollected Property Taxes-Levy Year	2 0	0	0
Net Current Property Taxes	3 25,941,230	0	25,941,230
Delinquent Property Taxes	4 0	0	0
TIF Revenues	5 41,346	0	41,346
Other City Taxes	6 9,908,451	0	9,908,451
Licenses & Permits	7 1,532,025	0	1,532,025
Use of Money and Property	8 13,650,359	35,418	13,685,777
Intergovernmental	9 33,495,137	910,295	34,405,432
Charges for Services	10 271,650,131	-843,351	270,806,780
Special Assessments	11 451,495	0	451,495
Miscellaneous	12 3,241,321	226,380	3,467,701
Other Financing Sources	13 79,445,715	0	79,445,715
Transfers In	14 18,435,259	-28,875	18,406,384
Total Revenues and Other Sources	15 457,792,469	299,867	458,092,336
Expenditures & Other Financing Uses			
Public Safety	16 17,204,862	37,595	17,242,457
Public Works	17 6,195,121	0	6,195,121
Health and Social Services	18 1,229,023	0	1,229,023
Culture and Recreation	19 8,379,304	63,621	8,442,925
Community and Economic Development	20 4,118,410	0	4,118,410
General Government	21 2,765,561	40,000	2,805,561
Debt Service	22 15,904,543	0	15,904,543
Capital Projects	23 45,912,495	118,860	46,031,355
Total Government Activities Expenditures	24 101,709,319	250,076	101,959,395
Business Type / Enterprises	25 337,661,768	1,103,614	338,765,382
Total Gov Activities & Business Expenditures	26 439,371,087	1,363,690	440,734,777
Transfers Out	27 18,435,259	-28,875	18,406,384
Total Expenditures/Transfers Out	28 457,806,346	1,334,815	459,141,161
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out for Fiscal Year			
	29 -13,877	-1,034,948	-1,048,825
Beginning Fund Balance July 1	30 626,550,717	0	626,550,717
Ending Fund Balance June 30	31 626,536,840	-1,034,948	625,501,892

Explanation of increases or decreases in revenue estimates, appropriations, or available cash:
 This is the Council-approved amendment per the City Manager's recommendation.

There will be no increase in tax levies to be paid in the current fiscal year named above. Any increase in expenditures set out above will be met from the increased non-property tax revenues and cash balances not budgeted or considered in this current budget. This will provide for a balanced budget.


Diane R. Voss
City Clerk/Finance Officer

COUNCIL ACTION FORM

SUBJECT: SETTING DATE OF HEARING FOR THE GRANTING OF AN UTILITY EASEMENT TO IOWA STATE UNIVERSITY ALONG SOUTH RIVERSIDE DRIVE

BACKGROUND:

Staff was contacted by Iowa State University Facilities Planning and Management requesting that the City grant a utility easement along South Riverside Drive on the City's Airport property. **The easement is needed to install communication infrastructure to the Research Park Phase III expansion (currently under construction) and the future Phase IV expansion.**

Iowa State was unable to negotiate the purchase of all the properties along the west side of South Riverside Drive with the current phase, and was also unable to obtain easements along the west side of the street for the newly needed communication infrastructure.

Staff worked with the Airport Administrator and found no issues with the granting of this easement for the purpose of installing and maintaining the necessary communication infrastructure.

A map of the general easement area is shown on Attachment A.

ALTERNATIVES:

1. Approve the proposal to grant a utility easement along South Riverside Drive to Iowa State University and set the date of public hearing for May 24, 2016.
2. Direct staff or the property owner to pursue other options.

MANAGER'S RECOMMENDED ACTION:

This easement is needed to extend communication infrastructure to the next phases of the ISU Research Park expansion. The Airport Administrator has determined that this easement will not interfere with any current or future activities of the airport.

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

Attachment A



Geographic Information System (GIS) Product Disclaimer: City of Ames GIS map data does not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership & land use nor does it replace field surveys of utilities or other features contained in the data. All features represented in this product should be field verified. This Product is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the User.



Proposed Easement Area



Scale: 1 in = 417 ft
Date: 5/2/2016

COUNCIL ACTION FORM

SUBJECT: **ELECTRICAL MAINTENANCE SERVICES CONTRACT FOR POWER PLANT**

BACKGROUND:

On April 12, 2016, City Council approved preliminary plans and specifications for the Power Plant's Electrical Maintenance Services Contract. This contract consists of regular professional maintenance and repair to numerous circuit breakers, relays, and electrical circuits located Plant-wide. This consists of emergency service, as well as regularly planned repairs and services during scheduled outages.

This contract is to provide electrical maintenance services for the period from July 1, 2016 through June 30, 2017. The contract includes a provision that would allow the City to renew the contract for up to four additional one-year terms.

Bid documents were issued to fourteen companies. 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 plan room.

On May 12, 2016, bids were received from four companies as shown on Attachment A: Bid Summary on the attached Bid Report. Upon the initial evaluation, staff determined that the bid submitted from Midwest Engineering Consultants, LTD, was non-responsive because it did not provide a proposed price increase percentage for renewal periods with the bid. Instead of meeting this requirement, it was stated on the bid that "*MEC rate schedule is reviewed annually and any increase will be presented during the renewal process*". Since this is a renewable contract, the percentages are a mandatory requirement because they provide a cap on any cost increases for each renewal year.

Electric Services staff needs additional time to evaluate the remaining bids to determine which one will provide these services at the lowest overall price.

ALTERNATIVES:

1. Accept the report of bids and delay award for the FY2016/17 Electrical Maintenance Services Contract for Power Plant.
2. Award a contract to the apparent low bid.
3. Reject all bids and direct staff to rebid.

MANAGER'S RECOMMENDED ACTION:

This work is necessary to properly maintain relays, circuit breakers, and electrical circuits as well as to carry out emergency and scheduled repairs resulting from equipment failures. This contract would establish rates for service and provide for guaranteed availability, thereby setting in place known rates for service and controlling the Plant's costs.

By choosing alternative No. 1, staff will have enough time to evaluate each bid to ensure the City receives these services at the best price. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 as stated above.



ITB 2016-148 Electrical Maintenance Services for Power Plant Bid Summary

	Tri-City Electric Company of Iowa, Davenport, IA			Shermco Industries Dallas, TX			ProEnergy Services, LLC Sedalia, MO			Midwest Engineering Consultants, LTD, Moline, IL		
DESCRIPTION	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate	Hourly Rate	Hourly Rate	Hourly Rate	Hourly Rate	Hourly Rate
Supervisor	\$83.30	\$112.75	\$145.00	\$130.00	\$195.00		\$60.00	\$90.00		Non-Responsive. Did not provide proposed price increases percentage for renewal periods with the bid. Bid stated "MEC rate schedule is reviewed annually and any increase will be presented during the renewal process".		
Apprentice	\$33.95	\$44.20	\$55.30				\$35.00	\$52.50				
Foreman	\$79.00	\$108.50	\$140.00				\$55.00	\$82.50				
Journeyman	\$76.00	\$104.25	\$135.00				\$44.00	\$66.00				
Technician	\$90.00	\$115.00	\$150.00	\$120.00	\$180.00		\$50.00	\$75.00				
Technician Level II	\$95.00	\$120.00	\$155.00									
Technician Level III	\$100.00	\$125.00	\$160.00									
Elect. Field Eng	\$125.00	\$150.00	\$180.00									
Sr. Drives & Automation Tech				\$160.00	\$240.00							
Drives & Automation Tech				\$140.00	\$210.00							
ESD Circuit Breaker Shop				\$120.00	\$180.00							
Registered Engineer (PE)				\$160.00	\$240.00							
Electrical Engineer				\$140.00	\$210.00							
P & C Relay / NERC FERC Tech				\$145.00	\$217.50							
Subsistence:	\$145.00 per day			\$35.00 per day			\$110.00 per day for Supervision; \$100.00 per day for Craftsman					
Travel:	\$65.00 per hour			\$105.00 per hour			\$250.00 per mob / \$255.00 per demobe					
Mileage:	\$.75 per mile			\$1.25 per mile			IRS rate per mile					
Material Costs:	Cost Plus 10%			Cost Plus 20 %			Cost Plus 10 %					
Misc. Tools and Equipment Rates												
Relay Test Set	\$60.00/Day, \$240.00/Week, \$720.00/Month			Included in rate								
High Current Test Set	\$80.00/Day, \$320.00/Week, \$960.00/Month											
Electrical Tool Trailer							\$1,350 per week plus \$1,000 mobe/\$1,000 demobe					
Proposed Price Increase for Renewal Periods:												
Labor Rates:	3.5% per year			3% per year			0% per year					
Travel & Subsistence:	3.5% per year			3% per year			0% per year					

COUNCIL ACTION FORM

**SUBJECT: 2014/15 SANITARY SEWER REHABILITATION
(MANHOLE REHABILITATION – FLOOD PRONE MANHOLES)**

BACKGROUND:

The ability of the sanitary sewer system to convey wastewater well into the future is dependent on the removal of the current large amount of infiltration and inflow (I&I, or I/I) in the system that occurs during wet weather. In order to minimize the need for costly expansions to the City's Water Pollution Control (WPC) facility, as well as to convey flows from new development as the City grows, the City must work to reduce the overall I/I in the system.

In March 2012 the City entered into a Sanitary Sewer System Evaluation agreement with Veenstra & Kimm, Inc. (V&K) from West Des Moines, Iowa. This included a comprehensive and systematic evaluation for identifying the defects that could contribute I/I across the entire, City-wide sanitary sewer system. This evaluation has been underway for several years. With the data collection phase complete, it is evident that there are over \$25 million worth of immediate structural improvements needed in the sanitary sewer system.

Current and future CIP projects for the sanitary sewer system are based on the results of this evaluation. Work includes rehabilitation such as the lining of existing mains or spray lining of existing structures, as well as complete removal and replacement of structures and sanitary sewer mains.

These projects were shown in the CIP beginning in 2014/15. Funding comes from the State Revolving Fund (SRF) in the amount of \$3,470,000 for each year with an annual increase of 5% for inflation. Repayment of the SRF loans will be from revenues generated in the Sanitary Sewer Fund.

A SRF Planning and Design Loan for \$375,000 was approved by City Council in March 2014. This loan was secured in order to hire a consultant to help determine the best action plan for implementation of system repairs, as well as for design services for the first two years of projects. At the September 23, 2014 meeting, City Council approved the engineering services agreement with V&K along with WHKS & Company of Mason City, Iowa to assist in the evaluation of the data.

The first project was bid and awarded by Council on July 22, 2015 to Save Our Sewers of Cedar Rapids, Iowa in the amount of \$1,662,502.06.

This is the second project to come out of the study, and was selected to have an immediate impact by removing Inflow & Infiltration (I&I) in manholes that are in areas prone to flooding. By eliminating I&I in these manholes, the existing sewer mains will regain some capacity. Items of work in the contract include replacement of existing manhole castings, installation of new external seals, and chemical grouting and cementitious lining of existing manholes. These rehabilitation methods will reduce the amount of clean water that enters the system, thus reducing the amount of water needing treatment at the plant.

On May 18, 2016 bids on the project were received as follows:

<i>Bidder</i>	<i>Amount</i>
Engineer's Estimate	\$ 980,000.00
Save Our Sewers	\$ 1,032,105.23
J&K Contracting	\$ 1,644,115.00

Three bids were received, but one was determined to be non-responsive.

Revenue and expenses associated with this program are estimated as follows:

	Available Revenue	Estimated Expenses
State Revolving Funds	\$ 3,270,000	
2014/15 Sanitary Sewer Rehab (Manhole Rehab – Previous project in Basins 1 & 5) (Under Contract)		\$ 1,622,502.06
2014/15 Sanitary Sewer Rehab (Manhole Rehab – Flood Prone Manholes) This project		\$ 1,032,105.23
Engineering/Administration (Est. for Both Projects)		\$ 390,000.00
	<u>\$ 3,270,000</u>	<u>\$ 3,044,607.29</u>

ALTERNATIVES:

1. a. Accept the report of bids for the 2014/15 Sanitary Sewer Rehabilitation (Flood Prone Manholes).
- b. Approve the final plans and specifications for this project.
- c. Award the 2014/15 Sanitary Sewer Rehabilitation (Flood Prone Manholes) to Save Our Sewers of Cedar Rapids, Iowa, in the amount of \$1,032,105.23.
2. Do not proceed with the project at this time.

MANAGER'S RECOMMENDED ACTION:

This project represents City Council's commitment to improve the sanitary sewer system. This is the second of several large projects that will have an immediate impact by removing Inflow & Infiltration to regain valuable capacity in the City's existing sanitary sewer mains.

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

COUNCIL ACTION FORM

SUBJECT: NUISANCE ASSESSMENT - SNOW/ICE REMOVAL

BACKGROUND:

After a snowfall, abutting property owners have the responsibility of removing snow and ice accumulations from the sidewalks. According to the *Municipal Code*, owners shall remove these accumulations within 10 daylight hours after the storm has stopped. If, after that time, sidewalks remain uncleared, the City may remove accumulations and assess the actual cost of the removal to the property owner. This action is performed on a complaint basis. Once a complaint has been received, notice is given to the abutting property owner that the City will clear the sidewalks if the owner has not done so within 24 hours of that notice.

City staff has removed snow and/or ice at the properties listed below. Also included in the list is the name and address of the property owners and the cost associated with the snow/ice removal. The work was completed, and a bill has been mailed to the individuals. To date, the bills have not been paid. A certified notice of this hearing was mailed to the property owners.

Thomas and Anna Bolduc \$270.00
2317 Storm Street
Ames, IA 50014
Snow/ice removal for property located at 2317 Storm Street
Date of Service: January 5, 2016

Ivan Hanthorn \$135.00
1417 Glendale Avenue
Ames, IA 50010
Snow/ice removal for property located at 1417 Glendale Avenue
Date of Service: January 15, 2016

William Heintzig \$165.00
821 Grand Avenue
Ames, IA 50010
Snow/ice removal for property located at 821 Grand Avenue
Date of Service: February 17, 2016

Heather Rennerfeldt \$175.00
Gary & Anna Rennerfeldt
2126 Greeley Street
Ames, IA 50014
Snow/ice removal for property located at 2126 Greeley Street
Date of Service: December 30, 2015

ALTERNATIVES:

1. The City Council can adopt a resolution assessing the costs of the snow/ice removal to the property owners shown above. The Finance Director will then prepare a spread sheet on these assessments, and the City Clerk's Office will file the assessment with the Story County Treasurer for collection in the same manner as property taxes, as provided for by the *Code of Iowa*.
2. The City Council can choose not to certify the costs to the County Treasurer and, instead, absorb the costs.

MANAGER'S RECOMMENDED ACTION:

The property owners failed to clear their sidewalks even after receiving notice to do so, and have neglected to pay the costs incurred by the City in making their sidewalk safe for public use.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby assessing the costs of the snow/ice removal to the property owners shown above.

Date: May 20, 2016

To: Honorable Mayor Campbell and Ames City Council

From: Justin Dodge, Hunziker Companies

Re: 3535 S. 530th Ave (Village Park) – 2nd and 3rd readings for rezoning

Honorable Mayor and City Council,

Hunziker Development Company has been actively working on a new project South of the Wessex apartment complex named Village Park – you have seen it on your agenda several times. The Planning & Zoning Commission first considered this project (since our ownership) for annexation over a year ago in May of 2015. This has been a long process when you factor in water rights, annexation, Land Use Policy Plan amendment and rezoning. The next step is platting then to be followed by site plans.

It seems odd to be talking about winter and completing projects before it snows however the construction season is shorter than you may realize. The 2016 calendar does not flow well between P & Z meetings and city council meetings for the months of June and July. If the 2nd and 3rd readings of the zoning are combined on May 24th it will help us work through the awkward June calendar. By combining the readings we are able to save 6 weeks of time. In real terms it means we can start working on June 20th instead of Aug 3rd. That makes a huge difference in our work schedule. June, July and Aug are usually the best months to do grading and underground utilities. If we have to wait until Aug to begin work it is unlikely that we would be able to get the utilities and paving done in order to start construction on some of the buildings this fall.

It is rare that we make a request such as this, but the way the meetings fall in June put us at a disadvantage to make significant construction progress. We would greatly appreciate if you would consider suspending the rules and pass the zoning on **2nd and 3rd readings for the rezoning of 3535 S. 530th Ave on May 24, 2016**. At first reading there was little discussion and opposition to the project.

Thank you in advance for your consideration,



Justin Dodge, Hunziker Companies