

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
JULY 11, 2017

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

CALL TO ORDER: 6:00 p.m.

1. Hearing on FY 2018-2021 Transportation Improvement Program (TIP):
 - a. Resolution approving Final FY 2018-2021 TIP

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.

PRESENTATION:

1. Presentation of All-America City Finalist Award for the community's work in Grade-Level Reading Proficiency

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.

2. Motion approving payment of claims
3. Motion approving Minutes of Regular Meeting of June 27, 2017
4. Motion approving Report of Contract Change Orders of June 16-30, 2017
5. Motion approving new Class C Beer and Class B Native Wine for Hampton Inn & Suites Ames, 2100 SE 16th Street, pending final inspection
6. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor – Welch Ave. Station, 207 Welch Avenue
 - b. Class C Liquor & Outdoor Service – Bar, 823 Wheeler Street, Suite 4, pending dram
 - c. Class B Beer – Panchero's Mexican Grill, 1310 South Duff Avenue, Suite. 103
 - d. Class C Liquor – Applebee's, 105 Chestnut Street
 - e. Special Class C Liquor – Triple Double (Trio Asian Restaurant), 223 Welch Avenue, Upper Level

- f. Class C Liquor, Catering, & Outdoor Service – Iowa State Center - Scheman Building, Scheman Building, Iowa State University
- g. Class C Liquor – Sportsman’s Lounge, 123 Main Street
- 7. Resolution approving 2017/18 Human Services Agency (ASSET) Contracts with Heart of Iowa Regional Transit Agency (HIRTA) and Lutheran Services in Iowa (LSI)
- 8. Resolution approving Certification of Local Government approval on behalf of local non-profit organizations receiving emergency shelter grant (ESG) funds
- 9. Resolution approving Intergovernmental Agreement for Keigley Branch Watershed Management Authority
- 10. Resolution approving Professional Services Agreement with WHKS & Co. of Ames, Iowa, for 2015/16 Sanitary Sewer Rehabilitation Construction Services in an amount not to exceed \$141,600
- 11. Resolution approving Professional Services Agreement with Snyder & Associates, Inc., of Ankeny, Iowa, for 2017/18 South Duff Avenue Improvements in an amount not to exceed \$133,000
- 12. Resolution approving Professional Services Agreement with Stanley Consultants, Inc., of Des Moines, Iowa, for 2017/18 Arterial Street Pavement Improvements (13th Street from UP Railroad to Harding Avenue) in an amount not to exceed \$81,500
- 13. Requests from Healthiest Ames for Open Streets on Sunday, October 1, 2017:
 - a. Motion approving blanket Temporary Obstruction Permit
 - b. Resolution approving closure of Main Street between Clark Avenue to Douglas Avenue from 8:00 a.m. to 5:00 p.m.
 - c. Resolution approving closure of 115 metered parking spaces and suspension of parking enforcement on Main Street
 - d. Resolution approving waiver of fee for usage of electricity
- 14. Resolution approving preliminary plans and specifications for 2016/17 Right-of-Way Restoration (various locations); setting bid due date for August 2, 2017, and August 8, 2017, as date of public hearing
- 15. Resolution awarding contract to Communications Engineering Company of Ankeny, Iowa, for New Water Plant Audio-Visual System in the amount of \$84,997
- 16. Resolution approving Ames Intermodal Facility License Agreement for incidental use of premises by Ames Police Department
- 17. Resolution awarding 3-year contract to Arthur J. Gallagher & Co., of Centennial, Colorado, to provide Health Benefits Consulting Services & Actuarial Valuation Services for Human Services & Finance Departments in the total amount of \$120,000
- 18. Resolution awarding 1-year contract extension (7/01/17 to 6/30/18) with Electronic Engineering Co., to provide 800-MHZ trunked radio equipment, pagers, and related equipment and services for City Departments
- 19. Resolution accepting the tax liability settlement proposed by EvapTech of Lenexa, Kansas, and authorizing payment in the amount of \$43,820.38 for Power Plant Cooling Tower Replacement project
- 20. Resolution approving contract and bond for Specialized Wet Dry Vacuum, Hydro Blast, and Related Cleaning Services for Power Plant
- 21. Resolution accepting completion of 2016/17 Accessibility Enhancement Program (Various Locations)
- 22. Resolution approving Plat of Survey for 302, 304, and 308 South 3rd Street
- 23. Resolution approving Minor Final Plat for LDY Subdivision
- 24. Resolution approving Major Final Plat for Crane Farm Subdivision, 4th Addition
- 25. Resolution approving partial completion of public improvements and reducing security for Scenic Valley Subdivision, 1st Addition

PUBLIC FORUM: This is a time set aside for comments from the public on topics of City business other than those listed on this agenda. Please understand that the Council will not take any action on your

comments at this meeting due to requirements of the Open Meetings Law, but may do so at a future meeting. The Mayor and City Council welcome comments from the public; however, at no time is it appropriate to use profane, obscene, or slanderous language. The Mayor may limit each speaker to five minutes.

PLANNING & HOUSING:

26. Staff Report on 321 State Avenue

POLICE:

27. Staff Report on Enhanced Parking Enforcement in Campustown neighborhoods

HEARINGS:

- 28. Hearing on zoning text amendment pertaining to new commercial parking lot landscaping exceptions:
 - a. First passage of ordinance creating exceptions for parking lot minimum setbacks and landscape percentage
- 29. Hearing on zoning text amendment pertaining to appeals of administrative decisions regarding zoning-related issues:
 - a. First passage of ordinance
- 30. Hearing on Proposed 2017/18 Community Development Block Grant Annual Action Plan (continued from May 9, 2017, and June 13, 2017):
 - a. Motion approving 2017/18 Annual Action Plan
- 31. Hearing on Designation of Barilla Urban Renewal Area and on Proposed Urban Renewal Plan and Project:
 - a. Resolution adopting Barilla Urban Renewal Plan
 - b. Resolution establishing Barilla Urban Renewal Area
 - c. First passage of ordinance creating Barilla Tax Increment Financing District
 - i. Motion directing City Attorney to prepare Development Agreement
- 32. Hearing on Valve Maintenance and Related Services and Supplies for Power Plant:
 - a. Motion accepting report of bids and delaying award of contract

ADMINISTRATION:

- 33. Resolution regarding equal provision of public services
- 34. City Attorney Recruitment:
 - a. Motion approving supervisory structure
 - b. Motion approving job description
 - c. Motion approving recruitment plan
 - d. Motion directing staff to modify Chapter 2.48 of the *Municipal Code*

ORDINANCES:

- 35. Third passage and adoption of ORDINANCE NO. 4316 adding language to allow signage on RH properties with mixed uses
- 36. Third passage and adoption of ORDINANCE NO. 4317 prohibiting parking on portions of 24th Street and Broadmoor Avenue

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*.

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

SUBJECT: FY 2018 - 2021 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

BACKGROUND:

In order to receive funds for transportation improvement projects, the projects must be part of the approved statewide plan. The initial step in this process is for the Ames Area MPO to develop a draft Transportation Improvement Plan (TIP). The attached draft plan provides for projects for street improvements, CyRide improvements, and trail projects.

In spring 2017, the Ames Area MPO distributed applications for new funding for Surface Transportation Block Grant (STBG) projects. Five applications were received. These projects have been incorporated into the FY 2018 – 2021 Transportation Improvement Program. **The Transportation Policy Committee reviewed and unanimously approved the draft TIP on May 23, 2017.**

| Program | TPMS ID | Project Sponsor | Fiscal Year | Project Name | Federal Fund Request | Total Project Cost |
|---------|---------|-----------------|-------------|---|----------------------|--------------------|
| STBG | 16032 | City of Ames | 2018 | Grand Ave Extension | \$1,200,000* | \$17,450,000 |
| STBG | 35616 | City of Ames | 2020 | North Dakota Avenue (Ontario St. to RR) | \$220,000** | \$1,480,000 |
| STBG | 36918 | CyRide | 2021 | Vehicle Replacement | \$225,000 | \$539,035 |
| STBG | 36919 | City of Ames | 2021 | Cherry Avenue (E Lincoln Way to SE 5 th St.) | \$1,890,000 | \$2,900,000 |
| STBG | 35644 | City of Ames | 2021 | 13 th Street (Duff Ave. to Meadowlane Ave.) | \$1,600,000 | \$2,500,000 |

*Grand Ave. Extension already awarded \$4,300,000 STBG funds in previous years. Request this year is for additional \$1,200,000 for a total \$5.5 Million.

**North Dakota Ave. already awarded \$680,000 STBG funds in previous years. Request this year is for additional \$220,000 for a total of \$900,000

Total New STBG Requests: \$5,135,000

ALTERNATIVES:

1. Approve the final FY 2018-2021 Transportation Improvement Program for submission to the Iowa Department of Transportation.
2. Approve the final FY 2018-2021 Transportation Improvement Program with Transportation Policy Committee modifications for submission to the Iowa Department of Transportation.

ADMINISTRATOR'S RECOMMENDED ACTION:

The Ames Area MPO Transportation Technical Committee has reviewed and unanimously approved the draft 2018-2021 TIP. 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. The final FY 2018-2021 Transportation Improvement Program is due to the Iowa Department of Transportation by July 15, 2017.

Therefore, it is the recommendation of the Administrator that the Transportation Policy Committee adopt Alternative No. 1, as noted above.



FY 2018 - 2021 Transportation Improvement 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 July 11, 2017.** Please call (515) 239-5160 to obtain permission to use.



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Appendix A: FFY 2018 – 2021 TPMS Printouts

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Federal Highway Administration Section

Project Selection

Introduction

The Ames Area Metropolitan Planning Organization (AAMPO) uses a project selection criteria system as a means of prioritizing submitted projects. The AAMPO selects regional surface transportation projects submitted to the AAMPO for inclusion in the Transportation Improvement Program (TIP). These projects are reviewed by staff, the Transportation Technical Committee (TTC) and Transportation Policy Committee (TPC). Approved projects are programmed in the TIP based on the recommendation of the TTC and staff. The TIP also includes projects awarded with State and Federal funds as applicable through the respective grant program.

Surface Transportation Block Grant Program (STBG)

Factors identified in the Long Range Transportation Plan (LRTP) are used as tools to help determine those projects selected and their respective priority. In addition to the LRTP tools, highway capacity improvement projects are selected using Level of Service criteria; rehabilitation and reconstruction projects are selected based upon pavement condition index and field review. A STBG application form shall be submitted to be considered to receive federal-aid funding. This form can be requested from the Ames Area MPO staff or downloaded from the Ames Area MPO website at www.aampo.org.

Transportation Alternative (TA)

Transportation Alternative consists mainly of greenbelt trails that have been identified during the public involvement process for the Long Range Transportation Plan. Trail segments shown in the plan are sized proportionately based upon estimated construction costs.

A TA application form shall be submitted to be prioritized and submitted for recommendation. Submitted projects are ranked with the following criterion:

- Connectivity with existing facilities,
- Cost in relation to public benefit,
- Enhancement to existing transportation system, and
- Identified in the long range transportation plan.

Applications for TA projects can be requested from the Ames Area MPO staff or downloaded directly from the Iowa Department of Transportation website.

Other Programs

Bridge projects consist of necessary repairs recommended by the biennial Iowa Department of Transportation (IDOT) bridge inspections. The IDOT requires these inspections for bridges within the local jurisdictions of the Ames Area MPO. A Candidate List is created by the IDOT Office of Local Systems based on priority points ranking. Local agencies and the Ames Area MPO work with the IDOT on programming necessary bridge projects based on priority and available funding.

The Transit Board selects operating projects for CyRide as identified in the approved Passenger Transportation Plan (PTP), which serves as a needs assessment for all regional human and health service agencies. The Transit Board also approves matching funds for capital projects based upon identified route expansions.

All projects are consistent with the approved Ames Mobility 2040 Long Range Transportation Plan.

FY 2017 Project Status Report

| TPMS # | Project Number | Location | Type of Work | Status | Total Project Cost | Total Federal Aid | Sponsor |
|---------------|--------------------------|--|---|------------------------------------|---------------------------|--------------------------|---------------------|
| 34214 | RGPL-PA22(RTP)-PL-00 | Transportation Planning | Trans Planning | Ongoing | \$ 113,000 | \$ 90,000 | AAMPO |
| 34245 | STP-A-PA22()-86-85 | #2 Green / #6 brown / #3 Blue Service Expansion & Bus Expansion | Transit Investments | Authorized | \$ 204,000 | \$ 163,000 | CyRide |
| 34580 | STP-A-PA-22()-86-85 | #9 Plum Weekday Route Expansion & Bus Expansion | Transit Investments | Authorized | \$ 732,000 | \$ 586,000 | CyRide |
| 34581 | STP-A-0155(694)-86-85 | Ames Traffic Network Master Plan | Planning Study | FHWA Approved | \$ 100,000 | \$ 80,000 | City of Ames |
| 36925 | STP-A-PA22()-86-85 | #2 Green / #6 brown / #3 Blue Service Expansion & Bus Expansion | Transit Investments | FHWA Approved | \$ 127,000 | \$ 102,000 | CyRide |
| 36926 | STP-A-PA22()-86-85 | #9 Plum Weekday Route Expansion & Bus Expansion | Transit Investments | FHWA Approved | \$ 288,000 | \$ 230,000 | CyRide |
| 34019 | IMX-35()-02-85 | I-35: US 30 to CO RD E29 (NB) | Pavement Rehab, Traffic Signs | FHWA Approved | \$ 3,762,000 | \$ 3,386,000 | Iowa DOT District 1 |
| 19961 | STP-U-0155(693)-70-85 | In the City of Ames, S 3rd St / S 4th St: From Squaw Creek to South Duff Avenue | Pavement Rehab | Authorized - Under Construction | \$ 2,422,000 | \$ 1,292,000 | City of Ames |
| 21260 | STP-E-0155(SE16TH)-8V-85 | In the City of Ames, Skunk River Trail: From SE 16th Street to East Lincoln Way | Ped/Bike Structures, Ped/Bike Miscellaneous | Rolled Over into Current TIP | \$ 835,000 | \$ 240,000 | City of Ames |
| 14980 | STP-E-0155(684)-8V-85 | In the City of Ames, Skunk River Trail, From Bloomington Road to Ada Hayden Park | Ped/Bike Grade & Pave | Rolled Over into Current TIP | \$ 544,000 | \$ 320,000 | City of Ames |
| 15628 | STP-E-C085(100)-8V-85 | Gilbert to Ames Trail: Trail connection from Gilbert, Iowa to Ames, Iowa | Ped/Bike ROW | Federal Funds Removed from project | \$ 983,000 | \$ - | Story CCB |

Fiscal Constraint

The Ames Area MPO FY 2018 programming targets are \$1,592,485 for STBG and \$66,545 for STBG TAP Flex. The project costs shown in the TIP are in year of expenditure dollars. This is accomplished by developing an estimate of costs in the current bidding environment and then applying an inflation factor of 4% per year. The Ames City Council has programmed these projects in the City of Ames 2017-2022 Capital Improvement Program for the local funding allocation. These funds are generated from the City of Ames annual Road Use Tax Fund (RUTF) distribution, Local Option Sales Tax, and General Obligation (GO) Bonds. The transit program does not have targets, and thus the requests involve significant costs in the anticipation of maximizing the amounts received.

Financial Constraint Summary Tables

| Federal Aid Program | 2018 | | 2019 | | 2020 | | 2021 | |
|--|--------------|-------------|------------|-------------|-------------|-------------|-------------|-------------|
| | Total Cost | Federal Aid | Total Cost | Federal Aid | Total Cost | Federal Aid | Total Cost | Federal Aid |
| Surface Transportation Block Grant Program (STBG) | \$18,436,250 | \$6,560,000 | \$500,000 | \$400,000 | \$2,029,000 | \$1,125,000 | \$5,929,000 | \$3,715,000 |
| Highway Bridge Replacement (STP-HBP) | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Transportation Alternatives Program (TAP) | \$1,900,000 | \$720,000 | \$0 | \$0 | \$448,000 | \$140,000 | \$0 | \$0 |
| National Highway Performance Program (NHPP) | \$3,812,000 | \$3,431,000 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Metropolitan Planning (PL) | \$119,000 | \$95,000 | \$119,000 | \$95,000 | \$119,000 | \$95,000 | \$119,000 | \$95,000 |
| Congestion Mitigation and Air Quality Improvement (CMAQ) | \$493,750 | \$395,000 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Primary Road Funds (PRF) | \$500,000 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

| | 2018 | 2019 | 2020 | 2021 |
|---------------------------------|--------------------|--------------------|--------------------|--------------------|
| Unobligated Balance (Carryover) | \$5,052,534 | \$151,564 | \$1,458,564 | \$2,073,564 |
| Region STBG Target | \$1,592,485 | \$1,639,000 | \$1,672,000 | \$1,712,000 |
| Region STBG TAP Flex Target | \$66,545 | \$68,000 | \$68,000 | \$68,000 |
| Subtotal | \$6,711,564 | \$1,858,564 | \$3,198,564 | \$3,853,564 |
| Programmed STP Funds | \$6,560,000 | \$400,000 | \$1,125,000 | \$3,715,000 |
| Balance | \$151,564 | \$1,458,564 | \$2,073,564 | \$138,564 |

| Table 4 | | | | | | |
|--|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| Forecasted Operations and Maintenance (O&M) Costs on the Federal-Aid System Table | | | | | | |
| Source: 2016 City Street Finance Report | | | | | | |
| | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
| City of Ames Total Operations | \$1,300,776 | \$1,352,807 | \$1,406,919 | \$1,463,196 | \$1,521,724 | \$1,582,593 |
| City of Ames Total Maintenance | \$1,141,806 | \$1,187,478 | \$1,234,977 | \$1,284,376 | \$1,335,752 | \$1,389,182 |
| City of Gilbert Total Operations | \$9,169 | \$9,536 | \$9,917 | \$10,314 | \$10,726 | \$11,155 |
| City of Gilbert Total Maintenance | \$12,980 | \$13,499 | \$14,039 | \$14,601 | \$15,185 | \$15,792 |
| Total O&M | \$2,464,731 | \$2,563,320 | \$2,665,853 | \$2,772,487 | \$2,883,387 | \$2,998,722 |

| Table 5 | | | | | | |
|--|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| Forecasted Non-Federal Aid Revenue Table | | | | | | |
| Source: 2016 City Street Finance Report | | | | | | |
| | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
| City of Ames Total RUTF Receipts | \$7,286,851 | \$7,578,325 | \$7,881,458 | \$8,196,716 | \$8,524,585 | \$8,865,568 |
| City of Ames Total Other Road Monies Receipts | \$8,530,756 | \$8,871,986 | \$9,226,866 | \$9,595,940 | \$9,979,778 | \$10,378,969 |
| City of Ames Total Receipts Service Debt | \$19,587,899 | \$20,371,415 | \$21,186,272 | \$22,033,722 | \$22,915,071 | \$23,831,674 |
| City of Gilbert Total RUTF Receipts | \$133,713 | \$139,062 | \$144,624 | \$150,409 | \$156,425 | \$162,682 |
| City of Gilbert Total Other Road Monies Receipts | \$30,436 | \$31,653 | \$32,920 | \$34,236 | \$35,606 | \$37,030 |
| City of Gilbert Total Receipts Service Debt | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Total Non-Federal Aid Road Fund Receipts | \$35,569,655 | \$36,992,441 | \$38,472,139 | \$40,011,024 | \$41,611,465 | \$43,275,924 |

Network Operations and Maintenance

The capital investment and other measures necessary to preserve the existing transportation system, as well as operations, maintenance, modernization, and rehabilitation of existing and future transportation facilities are annually reviewed and programmed. Preservation, operating, and maintenance costs are included as a priority for funding. Maintenance and rehabilitation projects are also included in the AAMPO LRTP. In addition to STBG funding, the City of Ames utilizes RUTF, Local Option Sales Tax, and General Obligation funding for system preservation projects. A program is also included in the City of Ames 2017-2022 CIP to address shared use path maintenance. The LRTP and Land Use Policy Plan (LUPP) both use an intersection efficiency standard of Level of Service (LOS) C.

Title VI Compliance

The Ames Area MPO adheres to the City of Ames’s Title VI of the Civil Rights Act of 1964 Compliance Plan. The AAMPO carries out its transportation planning processes without regard to race, color, or national origin. The Compliance Plan provides information on the Ames Area MPO Title VI compliance policies, complaint procedures, and a form to initiate the complaint process for use by members of the public. For more information or to file a complaint or concern, please contact the AAMPO Administrator at the City of Ames Public Works Administration Office at 515-239-5160.

Self Certification

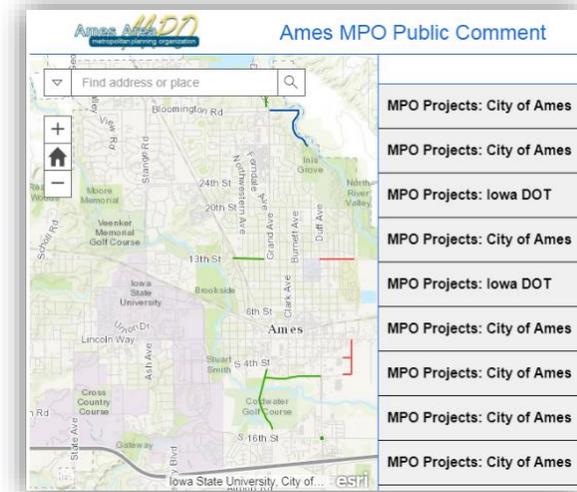
The AAMPO Policy Committee certified that transportation planning activities in the Ames metropolitan area are being carried out in accordance with governing Federal regulations, policies and procedures. This certification was at the meeting

on March 28, 2017. A copy of the document is attached in Appendix B.

Public Participation Process

The draft Transportation Improvement Program follows a process of Transportation Technical Committee review on May 18, 2017; a public input session was held at the Ames City Hall on May 19, 2017; Transportation Policy Committee draft review on May 23, 2017; and a Transportation Policy Committee public hearing on July 11, 2017. Postings for meetings are performed in accordance with our approved Public Participation Plan.

Draft documents are available on the Ames Area MPO website at www.aampo.org and include a map of roadway projects by programmed fiscal year. Notice of meetings were posted at the Ames City Hall and on the Ames Area MPO website as ‘News’. In addition, projects are available for public review and comment through the City of Ames Capital Improvement Program process.



Public Comment Web App

Revising the TIP

Often after development and subsequent adoption of the TIP, changes may need to be made to the list of programmed projects. Examples of changes might be adding or deleting projects, moving a project between years in the TIP, adjusting project cost, or changing the vehicle numbers of transit vehicles.

A major requirement of a project receiving Federal transportation funds is for the project to be included in the TIP and Statewide Transportation Improvement Program. Once a project has received Federal Authorization for construction it does not need to be included in the TIP. This is one of two major reasons for adding or deleting a project from the TIP. The other major reason for adding a project is the awarding of a grant or earmark for a project, which can happen throughout the year.

Changes to the TIP are classified as either “amendments” or “administrative modifications”.

Amendment

Amendments are major changes involving the following:

- Project Cost – projects in which the recalculated project costs increase federal aid by more than 30 percent or increase total federal aid by more than \$2 million from the original amount.
- Schedule Changes – projects added or deleted from the TIP.
- Funding Source – projects receiving additional federal funding sources.
- Scope Changes – changing the project termini, project alignment, the amount of through traffic lanes, type of work from an overlay to reconstruction, or a change to include widening of the roadway.

Amendments are presented to the Policy Committee and a public comment period is opened, which lasts until the next Policy Committee meeting (the Policy Committee meets on an as needed basis, giving a 3-4 week public comment period). Public comments are shared at this meeting with the Policy Committee and action is taken to approve the amendment.

Administrative Modifications

Administrative Modifications are minor changes involving the following:

- Project Cost – projects in which the recalculated project costs do not increase federal aid by more than 30 percent or do not increase total federal aid by more than \$2 million from the original amount
- Schedule Changes – changes in schedules to projects included in the first four years of the TIP
- Funding Source – changing funding from one source to another
- Scope Changes – all changes to the project’s scope

Administrative modifications and amendments are subject to different AAMPO Policy Committee and public review procedures. Administrative modifications are processed internally and are shared with the Policy Committee and the public as informational items

Federal Transit Administration Section

FY 2018 Transportation Improvement Program FTA Project Justification

The following transit projects identified within the draft FY2018-2021 TIP were included within the Passenger Transportation Plan (PTP) Update, meeting the requirements to have the Enhanced Mobility for Seniors and individuals with Disabilities formulized federal funding within an approved PTP prior to TIP approval. The following narrative describes the projects within the initial year of the plan.

General Operations

This funding supports the day-to-day transit operations of the Ames Transit Authority from Ames' urbanized area federal apportionment, Transit Intensive Cities, and State Transit Assistance funding.

Contracted Paratransit (Dial-A-Ride) Service

According to federal regulations, public transit agencies providing fixed-route transit service in their community must also provide door-to-door transportation service within a ¼ mile area of that fixed-route service. Therefore, CyRide purchases transportation service for its Dial-A-Ride operations in order to meet this ADA requirement. This requirement has been expanded to the entire city limits of Ames.

Associated Transit Improvements

CyRide developed a Bus Stop Plan that recommended an implementation plan for bus stop amenities along CyRide's fixed-route system. From the prioritization of recommended stop improvements, concrete pads will be added for easier boarding/alighting during inclement weather as well as replacing bus shelters with lighted bus shelters to improve the

accessibility for patrons and CyRide's image throughout the Ames community. In February 2013, CyRide launched Nextbus allowing passengers to obtain real-time information of the next buses coming to a particular bus stop. The information can be obtained on CyRide's website, by texting or calling or via LED digital signs at the bus stop. CyRide envisions additional LED digital signage signs next to high ridership stops throughout the Ames community.

Heavy Duty Bus Replacement

Eight buses have exceeded FTA guidelines for useful life. Bus numbers are 00716, 00715, 00711, 00712, 00717, 00713, 00144, 00145. These units will be replaced with 40' heavy-duty buses, equipped with cameras. These replacement vehicles will be ADA accessible.

Heavy Duty Bus Expansion

The System Redesign that was recently adopted by the CyRide Board is adding new several new service routes including: 25 Gold, 11 Cherry, 12 Lilac where large buses would operate. It is not clear whether the current administration plans to provide an infrastructure package in the near future. If this comes to fruition, four new buses would provide additional expansion possibilities for these routes in lieu of CyRide purchasing "used" buses to expand service. These new vehicles would be ADA accessible if purchased.

In-Ground Hoist Replacements

Three new hoists would provide substantial benefit to CyRide in allowing continued maintenance of federal/state funded buses to keep them in a state of good repair. Two of the hoists are 34 years old and the third 28 years old. The useful life for in-ground hoists is typically 20 years and each have corrosion beyond

repair making it difficult to move the hoists into place to work on different size vehicles. Additionally, all three hoists rely on one central “trunk” line to supply its fluid. Therefore, a ruptured line or other failed parts on the hydraulic pump makes all three hoists inoperable. New hoist technology will be autonomous and operate independently so if something failed on one of the pumps, mechanics could still work on the other two hoists as each would have its own individual hydraulic system. Performing timely preventive maintenance on vehicles is a federal requirement therefore the replacement of these hoists is critical in the near future.

Blue Route (Sunday)

In 2014-2015, CyRide doubled its frequency on the Sunday Blue route to 20-minute intervals between 11:00 am and 5:00 pm. The route previously operated at 40-minute intervals. One bus was added on Sundays to serve a portion of the route between ISU campus and the Wal-Mart on South Duff Avenue. This additional frequency helps reduce overcrowding and on-time performance issues experienced on the route. Additionally, this change will improve service by decreasing wait times for customers. Many trips along this portion of the route on Sunday consistently exceeded 60 passengers per bus, which is standing capacity. The seated capacity is 39 passengers. CyRide is requesting the final year of funding this project through Iowa’s Clean Air Attainment Program (ICAA) funding.

Brown/Green Route (Weekday)

In 2014-2015, CyRide added two additional buses along the Brown Route and one bus to the Green route each weekday between 11:30am and 6:00pm. Ridership has grown on both

these corridors to the point where overcrowding occurs and buses are having a difficult time staying on time and buses are exceeding standing capacity. Ridership on the Brown route has grown by more than 45% over the past three years due to the influx of students to apartments north of Somerset and full utilization of the Wallace/Wilson Residence Halls. An added benefit of this change is that the Brown/Green routes will now be able to meet other buses (Red and Blue routes) to make transfers allowing customers to switch between buses to travel to other areas of campus or the city. Previously, the Brown route bus arrived several minutes after the other route buses have left, causing customers to wait almost 20 more minutes until their next bus arrives. CyRide is requesting the final year of funding this project through Iowa’s Clean Air Attainment Program (ICAA) funding.

Plum Route (Weekday)

CyRide added a new route in 2015-2016 called the #9 Plum Route operated 20-minute service on ISU class weekdays between S. 16th/Duff and Iowa State University campus. The #9 Plum route serves high residential areas (The Grove, Laverne, Pleasant Run and Copper Beech) along S. 16th Street. This route also provides access to the commercial district near the intersection of S. 16th/Duff including Mid-Iowa Community Action and Community and Family Resources just east of this intersection. The route travels as follows: 16th St – University Blvd – Wallace – Osborn – Bissell – Union (past the Memorial Union & Knoll) – Lincoln Way – University – S. 16th – Buckeye. CyRide is requesting a second year of funding for this project through Iowa’s Clean Air Attainment Program (ICAA) funding at 50 percent. ICAAP can potentially fund up to three years of funding for new transit projects.

Appendix A: FFY 2018 – 2021 TPMS Printouts

MPO-22 / AAMPO

2018 - 2021 Transportation Improvement Program

| TPMS Sponsor Appr. Status | Project # Location Funding Program | Length FHWA# S:TR | | Pgm'd Amounts in 1000's | | | | Total | STIP# |
|--|--|-------------------------|------------------------------|-------------------------|------------|--------------|----------------|-----------------|-------|
| | | | | FY18 | FY19 | FY20 | FY21 | | |
| STBG - Surface Transportation Block Grant Program | | | | | | | | | |
| Story - 85 | | | | | | | | | |
| 36986 Ames | STP-U-0155()--27-85 In the city of Ames, On SOUTH GRAND AVE, from 0.1 miles north of S. 16th Street North .54 Miles to S 5th Street, | 0.54 MI -- | Project Total Federal Aid | 12,500 3,500 | 0 0 | 0 0 | 0 0 | 12,500 3,500 | |
| Draft TIP Approved | Grade and Pave,Bridge New | 0:0:00 | Regional FA | 3,500 | 0 | 0 | 0 | 3,500 | -- |
| PA NOTE: Phase 2 of two phase project. Total STBG for both phases is \$5,500,000 (\$2,000,000 on Phase 1 TPMS 16032). Total Project Cost \$17,450,000 through FY19/20 | | | | | | | | | |
| 16032 Ames | STP-U-0155(690)--70-85 DOT Letting: 01/17/2018 In the City of Ames, On S Grand Ave and S 5TH ST from S Grand Ave east to .12 miles west of S Duff Ave. | 0.468 MI -- | Project Total Federal Aid | 3,040 2,396 | 0 0 | 0 0 | 0 0 | 3,040 2,396 | |
| Draft TIP Approved | Grade and Pave | -- | Regional FA | 2,000 | 0 | 0 | 0 | 2,000 | -- |
| PA NOTE: Phase 1 of two phase project. Total STBG for both phases is \$5,500,000 (\$3,500,000 on Phase 2 TPMS 36986). Total Project Cost \$17,450,000 through FY19/20 | | | | | | | | | |
| 35644 Ames | STP-U-0155()--70-85 In the city of Ames, On 13th Street, from Ridgewood Avenue East 0.31 Miles to Harding Avenue | 0.29 MI -- | Project Total Federal Aid | 1,480 1,060 | 0 0 | 0 0 | 0 0 | 1,480 1,060 | |
| Draft TIP Approved | Pavement Rehab | -- | Regional FA | 1,060 | 0 | 0 | 0 | 1,060 | -- |
| 16103 MPO-22 / AAMPO | RGPL-PA22(LRTP)--ST-85 Ames MPO Planning: STP Funds for Transportation Planning | 0 MI -- | Project Total Federal Aid | 0 0 | 500 400 | 0 0 | 0 0 | 500 400 | |
| Draft TIP Approved | Trans Planning | -- | Regional FA | 0 | 400 | 0 | 0 | 400 | -- |
| 35616 Ames | STP-U-0155()--70-85 In the city of Ames, On North Dakota Avenue, from Ontario Street North 0.17 Miles to Union Pacific Railroad Tracks | 0 -- | Project Total Federal Aid | 0 0 | 0 0 | 1,500 900 | 0 0 | 1,500 900 | |
| Draft TIP Approved | Pave | -- | Regional FA | 0 | 0 | 900 | 0 | 900 | -- |
| 35617 MPO-22 / AAMPO | RGTR-PA22()--ST-85 CyRide: Vehicle Purchase | 0 -- | Project Total Federal Aid | 0 0 | 0 0 | 529 225 | 0 0 | 529 225 | |
| Draft TIP Approved | Transit Investments | -- | Regional FA | 0 | 0 | 225 | 0 | 225 | -- |
| 36919 Ames | STP-U-0155()--70-85 In the city of Ames, On Cherry Avenue, from E Lincoln Way South .4 Miles to Southeast 5th Street, | 0.498 -- | Project Total Federal Aid | 0 0 | 0 0 | 0 0 | 2,900 1,890 | 2,900 1,890 | |
| Draft TIP Approved | Grade and Pave | 0:0:00 | Regional FA | 0 | 0 | 0 | 1,890 | 1,890 | -- |

| TPMS Sponsor Appr. Status | Project # Location Funding Program | Length FHWA# S.T.R | | Pgm'd Amounts in 1000's | | | | Total | STIP# |
|--|--|--------------------------|---|-------------------------|----------------|-------------------|-------------------------|-------------------------|-------|
| | | | | FY18 | FY19 | FY20 | FY21 | | |
| Story - 85 (continued) | | | | | | | | | |
| 36927 Ames Draft TIP Approved | STP-U-0155()--70-85 In the city of Ames, On East 13th Street, from Duff Avenue East .4 Miles to Meadowlane Avenue, Pavement Rehab | 0.356 -- 0:0:00 | Project Total Federal Aid Regional FA | 0 0 0 | 0 0 0 | 0 0 0 | 2,500 1,600 1,600 | 2,500 1,600 1,600 | -- |
| 36918 MPO-22 / AAMPO Draft TIP Approved | RGTR-PA22()--ST-85 CyRide: Vehicle Replacement Transit Investments | 0 -- -- | Project Total Federal Aid Regional FA | 0 0 0 | 0 0 0 | 0 0 0 | 539 225 225 | 539 225 225 | -- |
| NHPP - National Highway Performance Program | | | | | | | | | |
| Story - 85 | | | | | | | | | |
| 34019 DOT-D01-MPO22 Draft TIP Approved | IMX--35()--02-85 I-35: US 30 TO CO RD E29 (NB) Pavement Rehab,Traffic Signs | 0 MI -- -- | Project Total Federal Aid Regional FA | 3,812 3,431 0 | 0 0 0 | 0 0 0 | 0 0 0 | 3,812 3,431 0 | -- |
| TAP - Transportation Alternatives | | | | | | | | | |
| Story - 85 | | | | | | | | | |
| 21260 Ames Draft TIP Approved | STP-E-0155(SE16TH)--8V-85 In the City of Ames, Skunk River Trail: From SE 16th Street to East Lincoln Way Ped/Bike Structures,Ped/Bike Miscellaneous | 1.033 MI -- -- | Project Total Federal Aid Regional FA | 835 240 240 | 0 0 0 | 0 0 0 | 0 0 0 | 835 240 240 | -- |
| 14980 Ames Draft TIP Approved | STP-E-0155(684)--8V-85 DOT Letting: 10/17/2017 In the city of Ames, Skunk River Trail, From Bloomington Road to Ada Hayden Park Ped/Bike Grade & Pave | 0.5 MI -- -- | Project Total Federal Aid Regional FA | 544 320 320 | 0 0 0 | 0 0 0 | 0 0 0 | 544 320 320 | -- |
| 14983 Ames Draft TIP Approved | STP-E-0155(SE16th)--70-85 In the City of Ames, Skunk River Trail: From SE 16th Street to East Lincoln Way Ped/Bike Grade & Pave | 1 MI -- -- | Project Total Federal Aid Regional FA | 521 160 160 | 0 0 0 | 0 0 0 | 0 0 0 | 521 160 160 | -- |
| 17025 Ames Draft TIP Approved | STP-E-0155()--8V-85 In the city of Ames, Skunk River Trail: River Valley Park to Bloomington Road Ped/Bike Grade & Pave | 0.75 MI -- -- | Project Total Federal Aid Regional FA | 0 0 0 | 0 0 0 | 448 140 140 | 0 0 0 | 448 140 140 | -- |
| PL - Metropolitan Planning | | | | | | | | | |
| Region Wide - 00 | | | | | | | | | |
| 34214 MPO-22 / AAMPO Draft TIP Approved | RGPL-PA22(RTP)--PL-00 VARIOUS Trans Planning | 0 -- -- | Project Total Federal Aid Regional FA | 119 95 0 | 119 95 0 | 119 95 0 | 119 95 0 | 476 380 0 | -- |

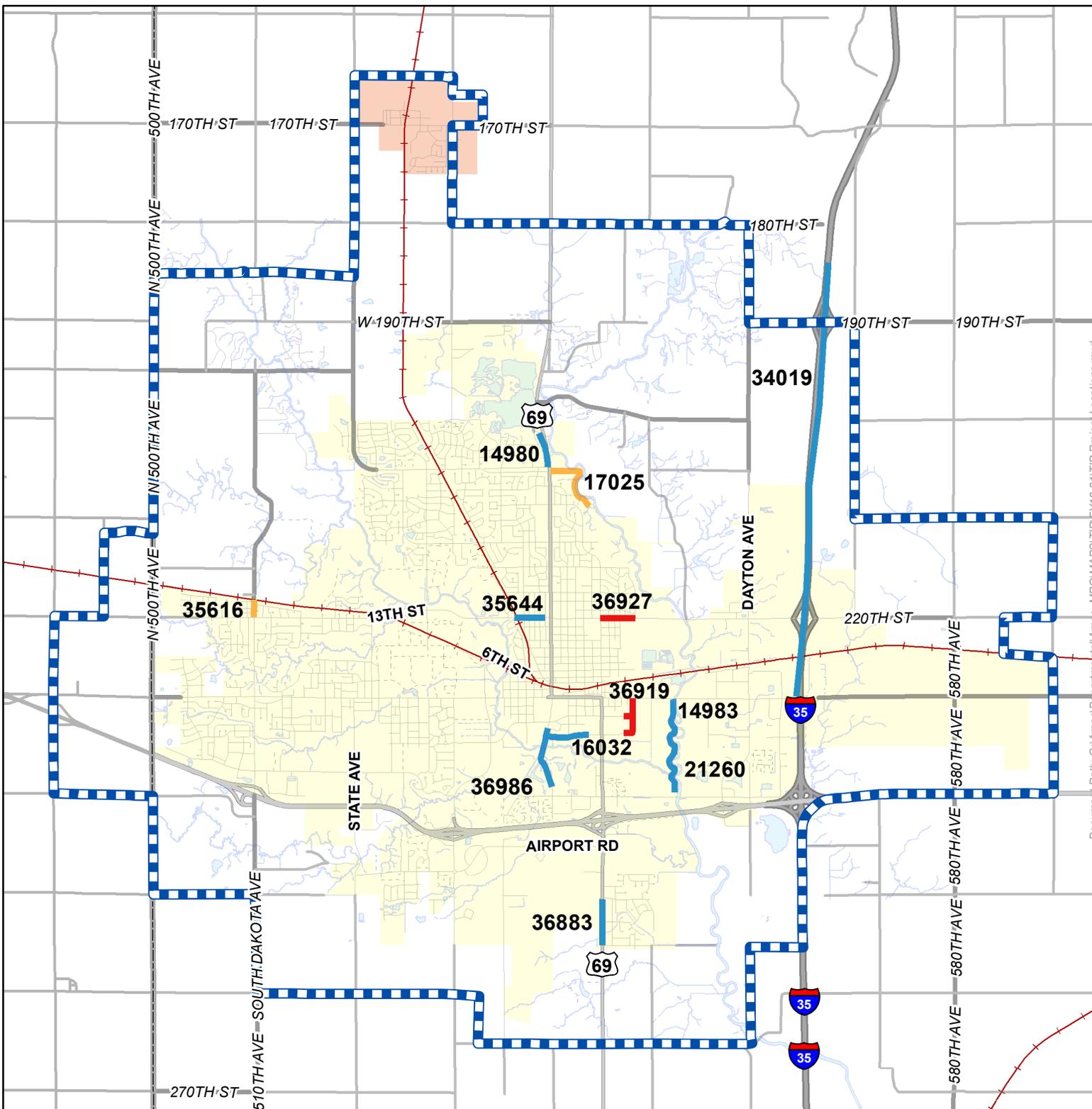
| TPMS Sponsor Appr. Status | Project # Location Funding Program | Length FHWA# S.T.R | | Pgm'd Amounts in 1000's | | | | Total | STIP# |
|---------------------------------|--|--------------------------|---------------|-------------------------|------|------|------|-------|-------|
| | | | | FY18 | FY19 | FY20 | FY21 | | |
| PRF - Primary Road Funds | | | | | | | | | |
| Story - 85 | | | | | | | | | |
| 36883 | STPN--69)--2J-85 | 0 MI | Project Total | 500 | 0 | 0 | 0 | 500 | |
| DOT-D01-MPO22 | US 69: KEN MARIL RD TO S OF JEWEL DR IN AMES (STATE SHARE) | -- | Federal Aid | 0 | 0 | 0 | 0 | 0 | |
| Draft TIP Approved | Pavement Rehab | -- | Regional FA | 0 | 0 | 0 | 0 | 0 | -- |

FY 2018 - 2021 Transportation Improvement Program

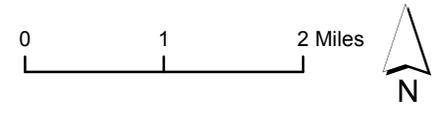
Project Location Map

Legend

-  Ames Area MPO Boundary
- Program Year**
-  2018
-  2019
-  2020
-  2021
-  City of Gilbert
-  City of Ames



Document Path: G:\Ames\Departments\Ames_MPO\Map\TIP\FY18-21\TIP_Project_Locations.mxd



MPO-22 / AAMPO (51 Projects)

| Fund | Sponsor | Transit # Expense Class Project Type | Desc / Add Ons / Addnl Info | | FY18 | FY19 | FY20 | FY21 |
|-----------|---------|--|--|--------------|------------|------------|------------|------------|
| STA, 5307 | Ames | 914 Operations Misc | General Operations | Total | 11,244,816 | 12,036,577 | 12,518,039 | 13,018,762 |
| | | | | FA | 2,200,000 | 2,288,000 | 2,379,520 | 2,474,701 |
| | | | | SA | 824,406 | 857,382 | 891,677 | 927,344 |
| 5310 | Ames | 919 Operations Misc | Contracted Paratransit Service | Total | 129,061 | 342,224 | 355,913 | 370,149 |
| | | | | FA | 103,249 | 273,779 | 284,730 | 296,119 |
| | | | | SA | | | | |
| 5310 | Ames | 920 Capital Replacement | Associated Transit Improvements | Total | 200,000 | 50,000 | 50,000 | |
| | | | | FA | 160,000 | 40,000 | 40,000 | |
| | | | | SA | | | | |
| 5339 | Ames | 1891 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00716 | Total | 479,200 | | | |
| | | | | FA | 407,320 | | | |
| | | | | SA | | | | |
| 5339 | Ames | 1894 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00715 | Total | 479,200 | | | |
| | | | | FA | 407,320 | | | |
| | | | | SA | | | | |
| 5339 | Ames | 1898 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00711 | Total | 479,200 | | | |
| | | | | FA | 407,320 | | | |
| | | | | SA | | | | |
| 5339 | Ames | 1900 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00712 | Total | 479,200 | | | |
| | | | | FA | 407,320 | | | |
| | | | | SA | | | | |
| 5339 | Ames | 2435 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00717 | Total | 479,200 | | | |
| | | | | FA | 407,320 | | | |
| | | | | SA | | | | |
| 5339 | Ames | 2436 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00713 | Total | 479,200 | | | |
| | | | | FA | 407,320 | | | |
| | | | | SA | | | | |
| 5339 | Ames | 2438 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00144 | Total | 479,200 | | | |
| | | | | FA | 407,320 | | | |
| | | | | SA | | | | |
| 5339 | Ames | 2444 Capital Expansion | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel | Total | 479,200 | | | |
| | | | | FA | 407,320 | | | |
| | | | | SA | | | | |
| 5339 | Ames | 2445 Capital Expansion | Heavy Duty Bus (40-42 ft.) VSS, Low Floor, BioDiesel | Total | 479,200 | | | |
| | | | | FA | 407,320 | | | |
| | | | | SA | | | | |
| 5339 | Ames | 2446 Capital Expansion | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel | Total | 479,200 | | | |
| | | | | FA | 407,320 | | | |
| | | | | SA | | | | |
| 5339 | Ames | 2447 Capital Expansion | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel | Total | 479,200 | | | |
| | | | | FA | 407,320 | | | |
| | | | | SA | | | | |
| ICAAP | Ames | 3664 Operations Expansion | 9 Plum Route Weekday | Total | 288,057 | | | |
| | | | | FA | 230,446 | | | |
| | | | | SA | | | | |

MPO-22 / AAMPO (51 Projects)

| Fund | Sponsor | Transit # Expense Class Project Type | Desc / Add Ons / Addnl Info | | FY18 | FY19 | FY20 | FY21 |
|---------------------|---------|--|--|--------------|---------|-----------|-----------|------|
| PTIG | Ames | 3668 Capital Replacement | Bus Wash | Total | 655,245 | | | |
| | | | | FA | | | | |
| | | | | SA | 524,196 | | | |
| PTIG | Ames | 4119 Capital Replacement | In-Ground Hoist Replacement | Total | 506,261 | | | |
| | | | | FA | | | | |
| | | | | SA | 405,009 | | | |
| ICAAP | Ames | 4667 Operations Expansion | Brown/Green Weekday | Total | 118,011 | | | |
| | | | | FA | 94,409 | | | |
| | | | | SA | | | | |
| ICAAP | Ames | 4668 Operations Expansion | Blue Sunday | Total | 9,198 | | | |
| | | | | FA | 7,358 | | | |
| | | | | SA | | | | |
| 5339 | Ames | 2841 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00145 | Total | 479,200 | | | |
| | | | | FA | 407,320 | | | |
| | | | | SA | | | | |
| PTIG, 5309, 5339 | Ames | 3314 Capital Expansion | Maintenance Facility Expansion | Total | | 8,175,000 | 2,986,200 | |
| | | | | FA | | 4,300,000 | 853,200 | |
| | | | | SA | | 800,000 | | |
| 5339 | Ames | 4672 Capital Replacement | Light Duty Bus (176" wb) Diesel, UFRC, VSS, BioDiesel Unit #: 00333 | Total | | 108,700 | | |
| | | | | FA | | 92,395 | | |
| | | | | SA | | | | |
| 5339 | Ames | 4673 Capital Replacement | Light Duty Bus (176" wb) Diesel, UFRC, VSS, BioDiesel Unit #: 00334 | Total | | 108,700 | | |
| | | | | FA | | 92,395 | | |
| | | | | SA | | | | |
| 5339 | Ames | 4674 Capital Replacement | Light Duty Bus (176" wb) Diesel, UFRC, VSS, BioDiesel Unit #: 00335 | Total | | 108,700 | | |
| | | | | FA | | 92,395 | | |
| | | | | SA | | | | |
| 5339 | Ames | 4675 Capital Replacement | Light Duty Bus (176" wb) Diesel, UFRC, VSS, BioDiesel Unit #: 00336 | Total | | 108,700 | | |
| | | | | FA | | 92,395 | | |
| | | | | SA | | | | |
| 5339 | Ames | 4678 Capital Replacement | Light Duty Bus (176" wb) Diesel, UFRC, VSS, BioDiesel Unit #: 00337 | Total | | 108,700 | | |
| | | | | FA | | 92,395 | | |
| | | | | SA | | | | |
| 5339 | Ames | 4679 Capital Replacement | Light Duty Bus (176" wb) Diesel, UFRC, VSS, BioDiesel Unit #: 00338 | Total | | 108,700 | | |
| | | | | FA | | 92,395 | | |
| | | | | SA | | | | |
| 5339 | Ames | 4659 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 07117 | Total | | 497,937 | | |
| | | | | FA | | 423,613 | | |
| | | | | SA | | | | |
| 5339 | Ames | 2836 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00714 | Total | | 498,368 | | |
| | | | | FA | | 423,613 | | |
| | | | | SA | | | | |
| 5339 | Ames | 2837 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00956 | Total | | 498,368 | | |
| | | | | FA | | 423,613 | | |
| | | | | SA | | | | |

MPO-22 / AAMPO (51 Projects)

| Fund | Sponsor | Transit # Expense Class Project Type | Desc / Add Ons / Addnl Info | | FY18 | FY19 | FY20 | FY21 |
|------|---------|--|--|--------------|------|---------|---------|---------|
| 5339 | Ames | 2838 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00958 | Total | | 498,368 | | |
| | | | | FA | | 423,613 | | |
| | | | | SA | | | | |
| 5339 | Ames | 2839 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00954 | Total | | 498,368 | | |
| | | | | FA | | 423,613 | | |
| | | | | SA | | | | |
| 5339 | Ames | 2840 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00955 | Total | | 498,368 | | |
| | | | | FA | | 423,613 | | |
| | | | | SA | | | | |
| 5339 | Ames | 1901 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00957 | Total | | 498,368 | | |
| | | | | FA | | 423,613 | | |
| | | | | SA | | | | |
| 5339 | Ames | 1895 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00953 | Total | | 498,368 | | |
| | | | | FA | | 423,613 | | |
| | | | | SA | | | | |
| 5339 | Ames | 1899 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00948 | Total | | | 518,304 | |
| | | | | FA | | | 440,559 | |
| | | | | SA | | | | |
| 5339 | Ames | 4042 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00785 | Total | | | 518,304 | |
| | | | | FA | | | 440,559 | |
| | | | | SA | | | | |
| 5339 | Ames | 4043 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00762 | Total | | | 518,304 | |
| | | | | FA | | | 440,559 | |
| | | | | SA | | | | |
| 5339 | Ames | 4044 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00778 | Total | | | 518,304 | |
| | | | | FA | | | 440,559 | |
| | | | | SA | | | | |
| 5339 | Ames | 4045 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00763 | Total | | | 518,304 | |
| | | | | FA | | | 440,559 | |
| | | | | SA | | | | |
| 5339 | Ames | 4046 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00779 | Total | | | 518,304 | |
| | | | | FA | | | 440,559 | |
| | | | | SA | | | | |
| 5339 | Ames | 4047 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00793 | Total | | | 518,304 | |
| | | | | FA | | | 440,559 | |
| | | | | SA | | | | |
| 5339 | Ames | 4048 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00700 | Total | | | 518,304 | |
| | | | | FA | | | 440,559 | |
| | | | | SA | | | | |
| 5339 | Ames | 4049 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00792 | Total | | | | 539,035 |
| | | | | FA | | | | 458,180 |
| | | | | SA | | | | |
| 5339 | Ames | 4660 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 07120 | Total | | | | 539,035 |
| | | | | FA | | | | 458,180 |
| | | | | SA | | | | |

MPO-22 / AAMPO (51 Projects)

| Fund | Sponsor | Transit # Expense Class Project Type | Desc / Add Ons / Addnl Info | | FY18 | FY19 | FY20 | FY21 |
|------|---------|--|--|--------------|------|------|------|---------|
| 5339 | Ames | 4661 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 07118 | Total | | | | 539,035 |
| | | | | FA | | | | 458,180 |
| | | | | SA | | | | |
| 5339 | Ames | 4662 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 07119 | Total | | | | 539,035 |
| | | | | FA | | | | 458,180 |
| | | | | SA | | | | |
| 5339 | Ames | 4663 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 07121 | Total | | | | 539,035 |
| | | | | FA | | | | 458,180 |
| | | | | SA | | | | |
| 5339 | Ames | 4664 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 972 | Total | | | | 539,035 |
| | | | | FA | | | | 458,180 |
| | | | | SA | | | | |
| 5339 | Ames | 4665 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 974 | Total | | | | 539,035 |
| | | | | FA | | | | 458,180 |
| | | | | SA | | | | |
| 5339 | Ames | 4666 Capital Replacement | Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 971 | Total | | | | 539,035 |
| | | | | FA | | | | 458,180 |
| | | | | SA | | | | |

Appendix B: 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 (42 U.S.C. 12101 *et seq.*) and 49 CFR parts 27,37, and 38, 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

3-28-17
Date

Appendix C: Approval

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JUNE 27, 2017

The Regular Meeting of the Ames City Council was called to order by Mayor Campbell at 6:00 p.m. on June 27, 2017, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, and Chris Nelson. Council Member Peter Orazem joined the meeting telephonically. *Ex officio* Member Rob Bingham was also present.

Mayor Campbell announced that the City Council would be working from an Amended Agenda. A Presentation of a donation from Harrison Barnes to Ames Public Library and Raising Readers in Story County was added prior to the Consent Agenda. Two new items were listed under Administration: (1) Approval of an Agreement with City Attorney Judy Parks and (2) Approval of Mark Lambert as Interim City Attorney retroactively from May 23, 2017.

PRESENTATION: Jerri Heid, Youth Services Manager, explained that several years ago, the Harrison Barnes Reading Academy tutoring program began at the Ames Public Library. Kim Hanna, Executive Director of Raising Readers in Story County, shared that 113 children from six School Districts in Story County and Boone County (United School District) had received free tutoring through the Raising Readers summer tutoring program. Ms. Hanna reported that, starting next year, that program will be part of the Harris Barnes Reading Academy Summer Tutoring Program. Harrison Barnes, formerly of Ames and now a member of the Dallas Mavericks NBA team, said that community service is very important to him, especially in the community where he was born and raised. Encouraging reading among local children is a way for him to give back to the community. He hopes the program will continue to happen and grow in the future. Mr. Barnes presented a donation in the amount of \$18,600 to the Harrison Barnes Reading Academy Tutoring Program.

CONSENT AGENDA: Council Member Beatty-Hansen requested that Item No. 10, a 5-day Special Class C Liquor License and Class B Wine Permit for Wheatsfield Cooperative at Worldly Goods, be pulled for separate discussion. Council Member Betcher asked that Item No. 19, the requests from Worldly Goods for the Reuse, Re-Purpose, Recycle Market, and Item No. 20, the requests for the Dog Dock Jumping Competition, be discussed separately. At the request of Council Member Corrieri, Item No. 36 pertaining to the CDBG Public Facilities Improvements Program for Non-Profit Organizations (parking lot improvements for Mainstream Living) was pulled for separate discussion.

Moved by, Beatty-Hansen, seconded by Betcher, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of June 13, 2017
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for June 1 - 15, 2017
5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor – McFly’s, 115 5th Street
 - b. Class C Liquor – Red Lobster #747, 1100 Buckeye Avenue

- c. Special Class C Liquor & Outdoor Service – Botanero Latino, 604 E. Lincoln Way (pending dram and inspection)
 - d. Special Class C Liquor & Outdoor Service – Depot Deli & Cookies, Etc., 526 Main Street, Ste. 106
6. Motion approving new Class C Liquor License & Catering Privilege for Jethro’s BBQ, 1301 Buckeye Avenue
 7. Motion approving new Class C Liquor License & Outdoor Service for South 17th Street Food & Beverage, LLC, 300 S. 17th Street (pending dram and final inspection)
 8. Motion approving 5-day (July 29 - August 2) Class C Liquor License for Gateway Market MLK at ISU Alumni Center, 420 Beach Avenue
 9. Motion approving 5-day (July 1 - August 5) Class C Liquor License for Gateway Hotel & Conference Center at Reiman Gardens, 1407 S. University Blvd.
 10. Motion approving 5-day (August 3 - 7) Class B Beer Permit for MSCD at Ames Municipal Airport, 2501 Airport Drive (Rain location for Foodies & Brew on August 4)
 11. Motion approving request from Iowa Sports Foundation for Fireworks Permit for display from ISU Lot G3 at 10:00 p.m. on Friday, July 14 for Iowa Games
 12. Motion approving request from Young Professionals of Ames for Fireworks Permit for display from ISU Lot G7 at 10:00 p.m. on July 3 with rain date of July 5 at 10:00 p.m. for Independence Day
 13. RESOLUTION NO. 17-392 approving FY 2017/18 Contracts with Human Services (ASSET)
 14. RESOLUTION NO. 17-393 approving FY 2017/18 Commission On The Arts (COTA) Fall Special Project Grant contracts
 15. RESOLUTION NO. 17-394 authorizing continued health insurance benefits to temporary employee at Electric Services
 16. FY 2017/18 Insurance Renewals:
 - a. RESOLUTION NO. 17-395 approving Excess Workers Compensation coverage renewal with Midwest Employers Casualty Company
 - b. RESOLUTION NO. 17-396 approving Municipal and Electric property insurance coverage renewals for 2017/18
 - c. RESOLUTION NO. 17-397 approving renewal of Iowa Communities Assurance Pool (ICAP) membership to procure Casualty and Liability Insurance coverages
 17. RESOLUTION NO. 17-398 approving renewal Agreement for 2017/18 safety training with Iowa Association of Municipal Utilities (IAMU) in an amount not to exceed \$67,000
 18. RESOLUTION NO. 17-404 approving preliminary plans and specifications for 2016/17 Downtown Street Pavement Improvements (Sherman Avenue); setting July 19, 2017, as bid due date and July 25, 2017, as date of public hearing
 19. RESOLUTION NO. 17-405 approving preliminary plans and specifications for WPC Barscreen Replacement Project; setting July 26, 2017, as bid due date and August 8, 2017, as date of public hearing
 20. Truck Replacement for Public Works Street Division:
 - a. RESOLUTION NO. 17-406 awarding contract to Aspen Equipment Co., Ankeny, Iowa, for base bid upfitting, Option #1 for 10' underbody snow plow, and Option #2 for 14' Material Spreader in the amount of \$214,782
 - b. RESOLUTION NO. 17-407 awarding contract to O’Halloran International of Altoona, Iowa, for purchase of two tandem chassis in the amount of \$194,708

21. RESOLUTION NO. 17-408 awarding contract to O'Halloran's International of Altoona, Iowa, for one tandem chassis for the Hook-Lift truck replacement at Resource Recovery in the amount of \$92,888
22. RESOLUTION NO. 17-409 awarding contract to RTL Equipment of Grimes, Iowa, for one Man-lift (45') for Electric Services, Power Production, in the amount of \$53,317
23. RESOLUTION NO. 17-410 approving Change Order to Boone County Landfill for Resource Recovery waste disposal operations
24. RESOLUTION NO. 17-411 approving Change Order No. 21 with Knutson Construction Services, Inc., for New Water Treatment Plant - Contract 2
25. Water Plant Lime Sludge Disposal:
 - a. RESOLUTION NO. 17-412 accepting completion of Year 4 (FY 16/17) with Wulfekuhle Injection and Pumping, Inc.
 - b. RESOLUTION NO. 17-413 approving renewal of contract with Wulfekuhle Injection and Pumping, Inc., for Year 5
26. RESOLUTION NO. 17-414 approving City's Debt Policy
27. Boiler Tube Spray Coating and Related Services and Supplies for Power Plant:
 - a. RESOLUTION NO. 17-415 approving contract renewal with Integrated Global Services, Inc., of Richmond, Virginia, in an amount not to exceed \$300,000
 - b. RESOLUTION NO. 17-416 approving contract and bond
28. Boiler Maintenance Services for Power Plant:
 - a. RESOLUTION NO. 17-417 approving contract renewal with TEI Construction Services, Inc., of Duncan, South Carolina, in an amount not to exceed \$210,000
 - b. RESOLUTION NO. 17-418 approving contract and bond
29. RESOLUTION NO. 17-419 approving contract and bond for Water Pollution Control Facility Primary Clarifier Blasting/Coating Project
30. RESOLUTION NO. 17-420 accepting completion of Squaw Creek Water Main Protection Project
31. RESOLUTION NO. 17-421 accepting completion of Replacement of Resource Recovery Concrete Tipping Floor
32. 2014/15 Right-of-Way Restoration:
 - a. RESOLUTION NO. 17-422 approving Change Order No. 2
 - b. RESOLUTION NO. 17-423 accepting completion
33. RESOLUTION NO. 17-425 accepting completion of Furman Aquatic Center Pool Basin Repainting project
34. RESOLUTION NO. 17-426 approving Final Plat for Scenic Valley Subdivision, Third Addition

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

SPECIAL CLASS C LIQUOR LICENSE & CLASS B WINE PERMIT FOR WHEATSFIELD COOPERATIVE AT WORLDLY GOODS: Council Member Beatty-Hansen explained that she has a conflict of interest on this item. She said that she had pulled it from the Consent Agenda so that she could abstain from the vote.

Moved by Corrieri, seconded by Nelson, to approve a 5-day (July 6 - 10) Special Class C Liquor License & Class B Wine Permit for Wheatfield Cooperative at Worldly Goods, 223 Main Street.

Vote on Motion: 5-0-1. Voting aye: Betcher, Corrieri, Gartin, Nelson, Orazem. Voting nay: None. Abstaining Due to Conflict of Interest: Beatty-Hansen. Motion declared carried.

REQUESTS FROM WORLDLY GOODS FOR REUSE, RE-PURPOSE, RECYCLE MARKET: Council Member Betcher said that she had asked item be pulled from the Consent Agenda so that the requesting party could explain the requests.

Andrea Gronau, Store Manager of Worldly Goods on Main Street, advised that the second-annual event is planned to be held in the 200 Block of Main Street. The event will be held on Sunday. It was noted that London Underground will be applying for a 5-day license for a beer garden. If Council approves, Ms. Gronau said that she will be actively seeking vendors, who will bring their goods to Main Street to sell. At the inquiry of Ms. Betcher, Ms. Gronau said that she had talked to the other Downtown businesses about this event. Ms. Gronau also added that each business was invited to have a free booth if they are interested.

Council Member Gartin expressed his concerns about closing a City street and using City property for private businesses to sell their goods (consigners, craft items, antiques). He questioned how the Council would be able to say no to other private businesses who want to close Main Street for their private use. Ms. Gronau explained that they had received a community grant for this event. The event brings lots of visitors to the Downtown. The atmosphere will be such that there will be family activities. She has invited all businesses to also participate in the event; commerce is being brought to the Downtown on a Sunday. Ms. Gronau believes that the event will bring vibrancy to the Downtown on a Sunday. She is hoping for increased attendance from last year, and estimates that there could be 500 to 1000 people attending. Ms. Gronau added that all the businesses with whom she had spoken were supportive.

Moved by Corrieri, seconded by Betcher, to approve the following requests from Worldly Goods for Reuse, Repurpose, Recycle Market on August 27:

- a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License
- b. RESOLUTION NO. 17-399 approving street closure and suspension of parking enforcement for the 200 block of Main Street from 7:00 a.m. to 6:00 p.m.
- c. RESOLUTION NO. 17-400 approving waiver of fee for usage of electricity

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

REQUESTS FROM MODEL FARMS AND AMES PET RESORT FOR DOG DOCK JUMPING COMPETITION: Council Member Betcher said she would like to hear more about this event. Sarah LeFever identified herself as being the Business Operations Manager for the Iowa State University Media Group (an affiliate of Iowa State University). Ms. LeFever stated that they have a Creative Services Agency that is part of the Group; it is student-run and professionally managed. She introduced Sam Moeller, who is a Student Project Manager, and said that Mr. Moeller had been approached by Ames Pet Resort to bring this event to Ames. According to Ms. LeFever, Dock Dogs is a national organization that have similar events throughout the United States. Ms. LeFever stated that the MSCD is supportive of this event. They had also talked to businesses that will be impacted, and all were onboard. In addition, the

City's Public Works Department had been contacted and approved of the water draining into the City's system.

Sam Moeller, 2921 Wood Street, Ames, explained that he had just graduated from ISU. At the inquiry of Council Member Betcher, Mr. Moeller answered that it is their hope to make this part of the annual 4th of July event.

Ms. Betcher asked if they had talked to the businesses about the issue of the possible rust in the water. Mr. Moeller stated that they did talk to Torrent Brewing. According to Mr. Moeller, that is the only company that will be impacted.

Council Member Gartin asked how many dogs would be participating in the event. Mr. Moeller said that Dock Dogs is tracking the registration, so they really don't know. Ms. LeFever commented that they are expecting approximately 5,000 people to be in attendance at the event.

Moved by Betcher, seconded by Corrieri, to approve the following requests from Model Farms and the Ames Pet Resort for a Dog Dock Jumping Competition on July 3-4:

- a. Motion approving blanket Temporary Obstruction Permit for the closed area
- b. RESOLUTION NO. 17-401 approving closure of Burnett Avenue between 5th Street and 6th Street from 9:00 a.m. Monday, July 3 to 12:00 a.m. Wednesday, July 5
- c. RESOLUTION NO. 17-402 approving closure of 13 metered parking spaces on Burnett Avenue and waiver of fees for July 3
- d. RESOLUTION NO. 17-403 approving waiver of fee for usage of electricity

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

COMPLETION OF CDBG PUBLIC FACILITIES IMPROVEMENTS PROGRAM FOR NON-PROFIT ORGANIZATIONS (PARKING LOT IMPROVEMENTS FOR MAINSTREAM LIVING): Council Member Corrieri noted that she had a conflict of interest with this item.

Moved by Gartin, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 17-424 accepting completion of CDBG Public Facilities Improvements Program for Non-Profit Organizations (parking lot improvements for Mainstream Living).

Roll Call Vote: 5-0-1. Voting aye: Beatty-Hansen, Betcher, Gartin, Nelson, Orazem. Voting nay: None. Abstaining Due to Conflict of Interest: Corrieri.

Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

PUBLIC FORUM: Mayor Campbell opened Public Forum.

George Belitsos 5508 West Lincoln Way, Ames, representing the Iowa Network Against Human Trafficking, introduced Jan Beran, representative of Protecting our Children; Virginia Greisheimer, representative of ACCESS, and Rhett Clayton, Massage Therapist from Ames Racquet & Fitness., Mr. Belitsos requested that the Council ask City staff to draft an ordinance to regulate massage businesses in Ames. A copy of the Johnston Ordinance regulating massage businesses was given to the Mayor and City Council members. It was reported that the Johnston Police Department had already closed two "massage parlors." According to Mr. Belitsos, a portion of the *Iowa Code* was stricken by the Iowa Legislature, which now gives

cities more control over massage businesses. At the inquiry of Council Member Gartin, Mr. Belitsos stated that he had discussed this with the Ames Police Department. He gave a summary of two incidents where arrests for prostitution and one arrest for sexual assault had been made in Ames.

No one else requested to speak, and the Mayor closed Public Forum.

HEARING ON REZONING PROPERTY AT 398 SOUTH 500TH AVENUE (COLLEGIATE AMES SUBDIVISION) [Continued from June 13, 2017]; and HEARING ON MAJOR SITE DEVELOPMENT PLAN FOR 398 SOUTH 500TH AVENUE (Continued from June 13, 2017): Planning and Housing Director Kelly Diekmann advised that the next three items on the Agenda involve actions that are necessary to help facilitate the development of property in the west part of Ames. He said that the Trinitas Development is requesting a Floating Planned Residence District (PRD) rezoning and approval of a Major Site Development Plan concurrent with a Preliminary Plat for the property at 398 South 500th Avenue. Mr. Diekmann provided the history of the steps that had already occurred, namely, approval of annexation and a Pre-Annexation Development Agreement in March 2017. Key components of the Development Agreement were reviewed by Mr. Diekmann. He noted that the Agreement is not binding on the developer if the City does not approve the rezoning to PRD, and ultimately, the Final Plat for the project.

Director Diekmann stated that, due to recent changes in state law, staff was asking for a slight modification to the recommended action for the text amendment that is a companion item for this rezoning, Major Site Development Plan, and Preliminary Plat. Staff is asking that under Condition No. 1b1 that states, "Approval of a text amendment to allow attached dwelling houses in a PRD," the following language be added, "or to modify the building types to two-family homes." By doing so, the proposed text amendment can be approved or disapproved without affecting the property.

Planner Julie Gould advised that the subject site totals 33.57 gross acres with 30.51 acres of net lot area for development purposes. The site will have access from Lincoln Way, South 500th Avenue, and Norris Street. The site was annexed into the City on March 7, 2017. The Development Agreement approved in March requires paving of South 500th Avenue adjacent to the sites frontage and to the north of Lincoln Way. Lincoln Way will be improved with a turning lane and the extension of a shared use path to Wilder Avenue to the east. Ms. Gould said that approval of a PRD sets a base density standard for the development, but allows for more flexible application of most development standards through approval of the Major Site Development Plan. Approval of PRD zoning and site development plan requires findings of consistency with design principles relating to the housing variety, efficiency of layout, quality of design, open space, and landscaping that in combination exceeds what can be accomplished with standard zoning.

According to Ms. Gould, the proposed project includes three developable lots configured around the creation of a public street (Lawrence Avenue) and the extension of Norris Street from the east to connect to Lawrence Avenue. The layout also includes a large central storm water detention pond and storm water management features for outlet to the east that then becomes College Creek. The storm water plan includes extensive changes to the drainage ways on the site and adjacent to the site including changes to Drainage District facilities; those

improvements require additional approvals by affected agencies. The proposed lots all have frontage on a public street. Lawrence and Norris Streets will meet local street improvement requirements.

Ms. Gould said that, although CyRide does not provide service to the project site and has no plans to at this time, CyRide has requested the strengthening of the public streets for potential future bus service; the internal local streets of The Collegiate would have to be strengthened to support a bus. A condition on approval of the rezoning has been recommended by staff that part of Lawrence be strengthened to allow for future bus service as well as to the south end of Fitzgerald and Lawrence. Staff has discussed this option with the developer and they support this requirement. All required parking is located on the private streets since the residences are not on individual lots with individual off-street parking. The initial factor for the layout of the site is use of public streets versus private streets.

The Council was told by Ms. Gould that the project includes 240 housing units with a total of 860 bedrooms. The required parking consists of 884 spaces for 24 individual one-bedroom dwelling units and 216 dwelling houses at a rate of one space per bedroom. All parking is on private street facilities and does not rely upon parking along public streets. The applicant contends that this proposed development is promoting a housing option that isn't currently available in Ames. They are proposing a cottage-type development with two-family attached residential units. These residential units range from one to five bedrooms. In order to provide five bedrooms in a unit in an attached residential structure that can be rented consistent with City standards, a text amendment will be required. Ms. Gould advised that the applicant has made separate application to request a text amendment to the PRD zoning district to allow attached dwelling houses.

According to Ms. Gould, the Commission recommended that the City Council approve the requests with several conditions. She noted that, since the Planning and Zoning Commission review, the applicant has continued to work on the storm water management plan and improvements plan, for the site. Options for Council action on the requested rezoning and Preliminary Plat were explained by Ms. Gould.

Council Member Betcher noted that the Council Action Form, on Page 12, states that, "The developer proposes to use the existing vegetation and fencing to screen this development from adjacent properties, to the east and to the south. Additionally, the developer will utilize existing landscaping and fencing abutting the commercial property for screening. Most of the existing vegetation and fencing exists on the adjacent property and not on this site." She asked how the City can be assured that there will be continued buffering between this site and the commercial property next door if the existing vegetation and fencing are not on the subject site. Director Diekmann said that staff has placed that requirement in the conditions.

Council Member Gartin expressed his concern about the private streets. He asked if the Fire Department staff would be comfortable with the width of the streets in terms of getting a fire truck in and out of the Subdivision. Director Diekmann said that structurally, the roads would not be built to City standards. They do, however, have to be constructed so that they can carry the weight of a fire truck. The right-of-way width is not as wide as a City right-of-way, and the biggest difference is that the parking is 90-degree parking. Mr. Gartin said he wanted to think 50 years down the road and would the City be willing to take on maintenance of the street if

asked to do so by a future owner. Mr. Diekmann said he did not believe so because the roads are not going to be built to City standards.

Mr. Gartin also inquired as to how students living within the Subdivision would get to Campus. Director Diekmann reiterated that CyRide does not run a bus to the area; its closest stop is about a half mile from the site. The developer has stated that they might run a shuttle, which was discouraged by CyRide, since it does not want private shuttle systems operating in the City. For that reason, staff did not make that recommendation. At some point in the future, if CyRide agrees to service this development, the developer would have to improve the streets to allow for that. The developer has already agreed to strengthen certain streets to accommodate buses should that be a possibility in the future. It was also asked by Mr. Gartin if there had been any discussions with Iowa State University (ISU) about the usage of shuttles. Mr. Diekmann replied that ISU had been working through a policy for private drop-off and shuttle systems; however, it appears that they won't be allowed to operate on Campus.

Council Member Betcher questioned the request for a waiver of the 360.5 feet of sidewalk. It appeared to her that the plan would be creating a gap where people on the south side of Norris have to cross Lawrence to get to the shared-use path and then they have to cross it again, and eventually they have to cross Lincoln Way to get to the trail system. She does not feel that a waiver is a good idea. Director Diekmann noted that the developer is asking for the waiver because they believe that the sidewalk would be installed when the adjacent parcel is developed.

The Mayor noted that the public hearing on this item had been continued from June 13, 2017, to this meeting. She asked if there was anyone wishing to come forward to speak.

Travis Vencel, representing Trinitas, gave a presentation on its request to rezone this site and accompanying requests for approval of a Major Site Development Plan and Preliminary Plat. According to Mr. Vencel, the University's student population has grown by 44% and the City has grown 18% over the last ten years. Housing has not kept pace with growth since 2008, resulting in high prices for housing and high occupancy. He commented that Trinitas wants to bring its product to Ames; it is a product that Ames currently doesn't have. Trinitas brings a bed/bath parity and a full list of amenities. Mr. Vencel showed pictures of the housing concept. The developer described its buffering (landscaping and vegetation) recommendation. Mr. Vencel also explained the request for a waiver of approximately 361 feet of sidewalk. It is believed that, at some point in time, the adjacent parcel will develop, and at that time, it would be appropriate to require a sidewalk. Mr. Vencel also stated that the developer has agreed with the conditions recommended by staff.

Marilyn Clem, 3306 Morningside, Ames, asked where the water was going to go. She said that this area is a greenbelt area and is pretty swampy. They are proposing some detention ponds, but they would be covering over a lot of land with this development. Ms. Clem advised that her property is on the low end of College Creek, and College Creek has been coming up in her yard more and more every year. College Creek starts at the area where this project is proposed to be developed. She believes that the culvert on State Street needs to have an overflow pipe or two to accommodate for the increasing non-saturation of land. Ms. Clem added that the culvert is, however, on state property.

Catherine Scott, 1510 Roosevelt Avenue, Ames, expressed that she is against this project for the same reason that she was against the Breckenridge project: She doesn't feel that this project can be re-purposed at some point in the future for anything except student-housing. Ms. Scott said she doesn't think the concept is appropriate for the area. She thinks that part of town needs more single-family housing.

At the inquiry of Council Member Gartin, Director Diekmann explained the surface water storage plan. Public Works has verified that it meets water quality and quantity control performance requirements.

Council Member Corrieri asked Mr. Diekmann to comment on what else by way of apartments is coming on line. Director Diekmann replied that, since 2014, the City has added an average of 1,050 bedrooms/year. Next year, there could be up to 1,600 beds coming on the market based on the rezonings that have already been approved. He noted that Brick Town is in phases, so all of that would not come on in one year; without Brick Town, it would be approximately 1,000 bedrooms.

Council Member Gartin shared that he was excited about this project and what it means to affordable housing. He noted that at its last meeting, the Council approved an affordable housing project at a cost to the City of approximately \$70,000/unit for 29 units. Mr. Gartin sees the Trinitas development as is an opportunity to inject a large number of rental properties into the market to put pressure on rental prices. He thinks that that would do a lot to improve the quality of the rental housing stock in Ames; there are many units that are in very bad shape.

Council Member Beatty-Hansen commented that she doesn't see it as such a benefit. She expects to see rents lowering now with the current stock of rentals. In addition, she doesn't believe the location on the edge of town is the right place to put student housing, especially since Cy-Ride will not be able to service the area. Ms. Beatty-Hansen expressed her concerns about the need for improved bicycle/pedestrian infrastructure on Lincoln Way, fire response, increased traffic since CyRide will not go out to the site, and the increased pressure on parking in Campustown.

Mr. Gartin stated that he has a real concern about the number of people who are having to live in other communities who would like to live in Ames. He noted that there aren't infill concerns with this site, so there aren't the neighborhood concerns about the project as there were with Breckenridge.

Council Member Betcher shared that she had voted for annexing the site; however, she is not convinced that Ames needs 860 more beds. She is pleased that the property has been annexed, but isn't sure this is the right project for the site. Ms. Betcher commented that it appears to her that the City is getting ahead of the student housing.

Council Member Gartin again expressed his concern about the number of people who have to commute into Ames for employment; one-third of the people who work in Ames don't live in Ames. He added that this project would have the potential for increased occupancy.

Ms. Beatty-Hansen said that if the proposal in question is not approved, it doesn't mean that the site won't be developed.

Council Member Orazem pointed out that increased pressure on rental prices will result in fewer properties being converted to rentals. He believes it would also result in some rentals being converted back to single-family residences.

Ms. Betcher noted that parents are still buying affordable single-family housing for their students to live in. She said that she is very concerned about the number of people who will be using cars and where those cars will be parked.

Moved by Nelson, seconded by Orazem, to pass on first reading an ordinance rezoning property at 398 South 500th Avenue (Collegiate Ames Subdivision) from Agricultural (A) to Planned Residence District (F-PRD).

Roll Call Vote: 3-3. Voting aye: Gartin, Nelson, Orazem. Voting nay: Beatty-Hansen, Betcher, Corrieri. Motion failed.

Mayor Campbell stated that the requests for approval of a Major Site Development Plan and Preliminary Plat were now moot.

HEARING ON PROPOSED ZONING TEXT AMENDMENT TO ALLOW DWELLING HOUSES IN PLANNED RESIDENCE DISTRICTS (Continued from June 13, 2017): The hearing was opened by Mayor Campbell. No one came forward to speak, and the hearing was closed.

Moved by Betcher, seconded by Beatty-Hansen, to decline to adopt the proposed zoning text amendments.

Roll Call Vote: 3-3. Voting aye: Beatty-Hansen, Betcher, Corrieri. Voting nay: Gartin, Nelson, Orazem. Motion declared approved.

SAFE COMMUNITY RESOLUTION: Jan Flora, 1902 George Allen Avenue, Ames, said that he was a member of Ames United Church of Christ, which is a member of AMOS. Mr. Flora explained that he was speaking on behalf of AMOS in place of Rick Exner, who was unable to be present at this meeting. Mr. Flora provided the background to explain why the Safe Community Resolution was being proposed. According to Mr. Flora, AMOS believes that the Resolution presents a positive image towards immigrants and promotes good community policing. It is recommended that the Resolution be adopted by the City Council “without being watered-down.”

Cheryl Binzen, 707 Burnett Avenue, Ames, spoke in favor of the Resolution that was proposed by the Ames Human Relations Commission. She noted that the word *reaffirming* is a keyword. It is believed that the Ames Police Department do its job; the value of the Resolution is that it is a very clear statement that Ames police force is intended to do, which is deal with public safety.

Council Member Orazem asked if there was any documentation of specific incidents where the Ames Police Department violated the rights of non-citizens in the City of Ames. Ms. Binzen said that was not the intent at all. It is a reaffirmation of what Ames Police is already doing.

Mr. Orazem said he was trying to find out what the nature of the problem is. Ms. Binzen said that the context is that fear has been created by some of the political rhetoric - primarily at the

federal level - that affected a large group of people who are living in fear of what might happen. The Resolution is to mitigate that fear. Council Member Orazem stated his belief that the proposed Resolution deals primarily with the actions of the Ames police. Ms. Binzen said that the Resolution addresses the problems of people being fearful. It reaffirms that the function of the Ames Police Department is to deal with public safety.

Council Member Orazem stated that many people who work for the City of Ames provide services to residents in the City. He sees the Resolution in question as singling out the police, and he believes that is unfair. Council Member Beatty-Hansen said she sees this as a small step that can be done right now because it is basically reaffirming what is currently being done.

Mr. Orazem noted that police officers, when sworn in, agree to a condition of employment to uphold the Constitution of the United States and the laws of the state of Iowa; that guarantees the rights of immigrants. If they violate that, their employment will be terminated. No other employees have to make that statement. Mr. Orazem reiterated that he does not like that the police are being singled-out in the Resolution. He feels strongly that the Police should be commended, not singled out for the work that they do. Mr. Orazem stated that he had written an alternative proposal, which is a little broader. Council Member Orazem read his proposed Resolution.

Council Member Beatty-Hansen commented that she agreed with everything that Council Member Orazem had said in his proposed Resolution; however, she did not see the original Resolution as being critical of the Police.

Council Member Corrieri stated her opinion that the Resolution in no way undermines the work of the Police.

Moved by Beatty-Hansen, seconded by Corrieri, to adopt the Resolution as proposed by the Ames Human Relations Commission (AHRC).

Council Member Orazem pointed out that the Resolution proposed by the Human Relations Commission is not motivated by what is being done in Ames. He noted that the Resolution was written by the Iowa City Council; it was not prepared by the AHRC. Mr. Orazem again commented that he believed that the proposed Resolution was federally politically motivated.

Council Member Gartin said that the Resolution also specifically addresses domestic violence. Council Member Orazem contended that he did not believe that there had been any case of domestic violence pertaining to this Resolution. Mr. Gartin emphasized that the last thing he wanted this to be about was sanctuary cities and noted his personal disagreement with the recent actions taken by Story County Sheriff Fitzgerald.

Roll Call Vote: 5-1. Voting aye: Beatty-Hansen, Betcher, Corrieri, Gartin, Nelson. Voting nay: Orazem. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

CITY'S PARTICIPATION IN ACCOUNTABLE CARE ORGANIZATION: Andrea Cardenas, City Health Promotion Coordinator, stated that, over the past two calendar years, the City has participated in an Accountable Care Organization (ACO) pilot program with

Wellmark, the City's health plan administrator. The program is for those receiving health insurance benefits through the City of Ames as employees, retirees, spouses, and dependents. Ms. Cardenas explained that an ACO is a local health care provider that is held accountable for the quality and cost of the care it delivers. It is focused on improving the health care experience and slowing the rate in health care cost increases. The ACO arrangements were created to keep healthy people well and improve outcomes for people when they need care. An ACO is not an insurance product or benefits; it is an agreement between providers and payers to incentivize value-based healthcare. Incentives are paid to providers when quality targets are met or improved above the target. Each ACO must also meet Wellmark's trend and Consumer Price Index cost targets in order to receive incentives. If an ACO does not meet its targets, it pays back losses to the company or employer that pays the claim. The ACO model is expanding across the country, and Wellmark has now adopted the Iowa ACO network as part of a larger national initiative called Blue Distinction Total Care. Currently, 13 ACOs in the state of Iowa have agreements with Wellmark. The City of Ames health plan participants are patients at four of those ACOs: McFarland Clinic, Mercy Des Moines, The Iowa Clinic, and Heartland. By far the largest portion of City insurance members are patients at McFarland Clinic. While it is not possible to attribute all healthcare costs or savings to McFarland participating as an ACO, the City experienced only a 3.2% cost increase since January 2015, as compared to Wellmark's network average of 10.4% from January 2015 to September 2016.

Ms. Cardenas reviewed the risks of participating and not participating. Cost estimates received from Wellmark for the coming plan year were noted. Using those totals, the City could owe the ACO anywhere from \$262,800 to \$342,000 based on the estimated savings yielded from the cost containment efforts for the total ACO operations. However, it is still possible under this arrangement that, although the ACO in total proved to meet the savings threshold in its total business, the City of Ames' claims experience might result in increased costs to the City. Therefore, in addition to the payments for healthcare claims, the City would still have to make a substantial payment to the ACO because of the "savings" generated for the total system. With no cap on the amount the City would owe the ACO for savings, entering into this arrangement will subject us to substantial financial risk. Rather than reject the concept at this time, the staff intends to hire a third-party expert to review the City's historical healthcare data and offer a recommendation as to whether participation in the ACO is an acceptable risk that should be assumed by the City.

Moved by Beatty-Hansen, seconded by Gartin, to decline to participate in the 2017 Blue Distinction Total Care program from July 1, 2017, to June 30, 2018, and direct that the City continue to evaluate that approach and reconsider whether to adopt it in 2018-19.

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

SALARY FOR CITY MANAGER FOR 2017/18: Council Member Betcher explained that she and Council Member Gartin had been named by the Mayor to evaluate the two Council appointees. In FY 2016-17, the City Manager performed well in all areas of his job. The survey of the City Council and Mayor, administered in mid-February, provided a snapshot of Mayor/Council feedback and assessment of 13 points of the City Manager's job at that time. The City Manager performed "Acceptable" or "Very Good" work in all 13 areas, receiving a 100% rating of "Very Good" on five questions. Ms. Betcher continued by saying that Council Members believed that the City is a well-run civic machine and that Steve does a great job of

balancing the varied opinions and priorities of all Council Members. The City Manager's work continues to be excellent.

According to Council Member Betcher, although the long-standing excellent work of City Manager Schainker merits a pay increase of \$6,055.52, which the Council would like to recommend, the City Manager will accept no greater increment than the rest of the staff has received. Therefore, the recommendation was as follows:

| | |
|------------------------|--|
| Base Pay: | \$207,401.63 (an increase of \$5,550.90) |
| Deferred Compensation: | \$ 34,076.09 (an increase of \$912.02) |
| Vehicle Allowance: | \$ 6,000.00 (no change) |

Moved by Betcher, seconded by Corrieri, to approve that recommendation for the City Manager's salary for 2017/18.

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

AGREEMENT WITH CITY ATTORNEY JUDY PARKS: Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 17-428 approving the Agreement confirming the separation of City Attorney Judy Parks from City employment.

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

NAMING INTERIM CITY ATTORNEY: Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 17-429 naming Mark Lambert as the Interim City Attorney at a salary of \$101,650 retroactively from May 23, 2017.

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

Moved by Corrieri, seconded by Betcher, to direct that staff provide a job description and various alternatives for overseeing the position to the City Council for consideration.

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

ORDINANCE TO ALLOW SIGNAGE ON RESIDENTIAL HIGH-DENSITY PROPERTIES WITH MIXED USES: Moved by Gartin, seconded by Corrieri, to pass on second reading an ordinance to allow signage on RH properties with mixed uses.

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

ORDINANCE PROHIBITING PARKING ON PORTIONS OF 24TH STREET AND BROADMOOR AVENUE: Moved by Corrieri, seconded by Betcher, to pass on second reading an ordinance prohibiting parking on portions of 24th Street and Broadmoor Avenue.

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

ORDINANCE MAKING ZONING TEXT AMENDMENTS TO ADD DEFINITIONS OF "PRE-EXISTING" AND "TWO-FAMILY DWELLING, IF PRE-EXISTING:" Moved by Gartin, seconded by Nelson, to pass on third reading an adopt ORDINANCE NO. 4311 adding definitions of "pre-existing" and "two-family dwelling, if pre-existing to the Zoning Ordinance.

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

ORDINANCE REVISING SITE LANDSCAPE REQUIREMENTS FOR ALL USES: Moved by Betcher, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4312 revising site landscape requirements for all uses.

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

STORM WATER UTILITY RATES ORDINANCE: Moved by Betcher, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO. 4313 reading the Storm Water Utility Rates Ordinance.

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

ELECTRIC RATE ORDINANCE: Moved by Corrieri, seconded by Betcher, to pass on third reading and adopt the ELECTRIC RATE ORDINANCE NO. 4314.

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

FIREWORKS ORDINANCE: Moved by Betcher, seconded by Nelson, to pass on third reading and adopt the Fireworks ORDINANCE NO. 4315 under *Municipal Code* Chapter 17.6.

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

COUNCIL COMMENTS: Council Member Betcher stated that she had recently attended the Statewide Preservation Conference where she had heard a presentation by the Deputy Building Code Commissioner with the State Fire Marshal's Office. The Commissioner stated that the *International Existing Building Code* (IEBC), under Chapter 14, allows for more flexible handling of historic structures and how improvements for safety are interpreted. Ms. Betcher believes that exploration of that Chapter in greater detail might be an opportunity for Ames with its historic buildings and older buildings in Campustown

Moved by Betcher, seconded by Beatty-Hansen, to request a staff report on Chapter 14 of the IEBC

and how it might be used in Ames to help redevelop some of its older properties.

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

Moved by Beatty-Hansen, seconded by Corrieri, to direct that Council Member Peter Orazem's proposed "Safe City" Resolution be placed on a future agenda.

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

Moved by Gartin, seconded by Betcher, to request a staff report on massage licensing and for it to include what is currently being done by the Police Department.

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

Moved by Orazem, seconded by Corrieri, to refer to staff for a report on the request of Jack Guan pertaining to the request to pave the alley within the square of Burnett Avenue, 7th Street, Kellogg Avenue, and 8th Street.

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

Moved by Nelson, seconded by Gartin, to refer to staff the request from Ames Foundation to defer funding from its tree-planting project to the Miracle Field project.
Vote on Motion: 6-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Corrieri to adjourn the meeting at 8:13 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor



REPORT OF CONTRACT CHANGE ORDERS

| | | |
|-------------------------------|-------------------------------------|------------------------------------|
| Period: | <input type="checkbox"/> | 1 st – 15 th |
| | <input checked="" type="checkbox"/> | 16 th – End of Month |
| Month & Year: | June 2017 | |
| For City Council Date: | July 11, 2017 | |

| 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 | 2016-17 CDBG Public Facilities Improvement Program (Mainsteam Living Parking Lot) | 3 | \$84,763.00 | Con-Struct, Inc. | \$421.00 | \$-(205.47) | J. Joiner | MA |
| Water & Pollution Control | Pebble Lime | 1 | \$446,600.00 | Graymont Western Lime Inc. | \$0.00 | \$40,000.00 | B. Kindred | MA |
| Public Works | 2013-2014 Shared Use Path System Expansion (Skunk River Trail Extension, Phase 2, E LW to SRVP) | 2 | \$673,442.95 | Peterson Contractors Inc. | \$0.00 | \$20,159.64 | J. Joiner | MA |
| | | | \$ | | \$ | \$ | | |
| | | | \$ | | \$ | \$ | | |
| | | | \$ | | \$ | \$ | | |

| | | |
|---|----------------------------|--------------------------|
| Name of Applicant: <u>HGIK Hospitality LLC</u> | | |
| Name of Business (DBA): <u>Hampton Inn & Suites Ames</u> | | |
| Address of Premises: <u>2100 SE 16th Street</u> | | |
| City <u>Ames</u> | County: <u>Iowa</u> | Zip: <u>50010</u> |
| Business <u>(515) 232-5510</u> | | |
| Mailing <u>300 Cedar Elm Court</u> | | |
| City <u>Irving</u> | State <u>TX</u> | Zip: <u>75063</u> |

Contact Person

| |
|---|
| Name <u>Biren Patel</u> |
| Phone: <u>(972) 670-4432</u> Email <u>biren@patriothosp.com</u> |

Classification Class C Beer Permit (BC)

Term:12 months

Effective Date: 07/01/2017

Expiration Date: 01/01/1900

Privileges:

- Class B Native Wine Permit
- Class C Beer Permit (BC)
- Sunday Sales

Status of Business

| |
|--|
| BusinessType: <u>Limited Liability Company</u> |
| Corporate ID Number: <u>W00916555</u> Federal Employer ID <u>465376043</u> |

Ownership

Biren Patel

First Name: Biren **Last Name:** Patel
City: Irving **State:** Texas **Zip:** 75063
Position: Officer
% 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 Date | Temp Transfer Expiration Date: |

*Caring People
Quality Programs
Exceptional Service*

6a-g

TO: Mayor Ann Campbell and Ames City Council Members

FROM: Lieutenant Dan Walter – Ames Police Department

DATE: July 5th, 2017

SUBJECT: Beer Permits & Liquor License Renewal Reference City Council Agenda

The Council agenda for July 11th 2017, includes beer permits and liquor license renewals for:

- Class C Liquor - LC0018333 - Welch Ave. Station, 207 Welch Avenue
- Class C Liquor & Outdoor Service - LC0039389 - Bar, 823 Wheeler St., Suite 4
- Class B Beer - BB0030306 - Panchero's Mexican Grill, 1310 South Duff Avenue, Ste. 103
- Class C Liquor - LC0029437 - Applebee's, 105 Chestnut St.
- Special Class C Liquor - BW0094928 - Triple Double (Trio Asian Restaurant), 223 Welch Avenue, Upper Level
- Class C Liquor, Catering, & Outdoor Service - LC0041938 - Iowa State Center - Scheman Bldg., Scheman Bldg, Iowa State University
- Class C Liquor - LC0020461 - Sportsman's Lounge, 123 Main Street

A routine check of police records for the past twelve months found no liquor law violations for the above listed business. The police department recommends renewal of licenses for all of the above business.

COUNCIL ACTION FORM

SUBJECT: APPROVAL OF OUTSTANDING FY 2017/18 ASSET CONTRACTS

BACKGROUND:

During its February 2017 budget approval process, the City Council approved a total of \$1,278,973 in ASSET human service funding allocations for the 2017/18 fiscal year. At its meeting on June 27, the City Council approved the majority of these contracts. However, two agencies had not returned contracts prior to the deadline for the City Council meeting. Those contracts are now presented for City Council approval.

| | <u>Current FY 2016/17</u> | <u>Allocation FY 2017/18</u> | <u>Increase</u> |
|----------------------------------|--------------------------------------|---|------------------------|
| HIRTA | 40,133 | 41,000 | 867 |
| Lutheran Services in Iowa | 5,461 | 10,700 | 5,239 |

ALTERNATIVES:

1. Approve the ASSET agency contracts for FY 2017/18 with HIRTA and LSI.
2. Do not approve the ASSET agency contracts

CITY MANAGER'S RECOMMENDED ACTION:

The City Council allocated funds for human services activities through the ASSET hearing process and approval of the City's FY 2017/18 budget. The ASSET-funded organizations have signed and returned their contracts for services. These two outstanding contracts are the only contracts awaiting approval.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby approving the ASSET agency contracts for FY 2017/18 with HIRTA and LSI.

COUNCIL ACTION FORM

SUBJECT: CERTIFICATION OF LOCAL GOVERNMENT APPROVAL ON BEHALF OF LOCAL NONPROFIT ORGANIZATIONS RECEIVING EMERGENCY SHELTER GRANT (ESG) FUNDS

BACKGROUND:

In order for three local non-profit agencies, Youth and Shelter Services (YSS), Emergency Residence Project (ERP) and the Assault Care Center Extending Shelter and Support (ACCESS), to apply for funding under the Federal Emergency Shelter Grant (ESG) Program, they are required to submit a "Certification of Local Government Approval" from the City of Ames. If they are awarded funding through this program, the certification allows these non-profit agencies to receive these federal funds directly through the State of Iowa's Iowa Finance Authority (IFA).

Additionally, these certifications confirm that local governments are electing for IFA to administer these grant funds on behalf of the non-profit organizations for the calendar year beginning January 1, 2018.

The attached "Certifications of Local Government Approval" for both YSS, ERP and ACCESS must be submitted with their applications to IFA by July 21, 2017.

ALTERNATIVES:

1. The City Council can authorize the Mayor to sign the Certifications of Local Government Approval on behalf of YSS, ERP and ACCESS.
2. The City Council can choose to not authorize the Mayor to sign the Certifications of Local Government Approval on behalf of YSS, ERP and ACCESS.

CITY MANAGER'S RECOMMENDED ACTION:

Receiving ESG grant funds administered through the Iowa Finance Authority is very important in helping these agencies provide much needed services for homeless youth and for homeless families with children in our community.

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



CERTIFICATION OF LOCAL GOVERNMENT APPROVAL

FOR NONPROFIT ORGANIZATIONS RECEIVING IOWA STATEWIDE EMERGENCY SOLUTIONS GRANT (ESG) FUNDS FOR SHELTER

| | |
|---|---|
| ESG Nonprofit Recipient: | Youth and Shelter Services, Inc. |
| ESG Shelter Project: | Boone County TLP, Marshall County TLP, Story County TLP, Iowa Homeless Youth Centers (Polk County) TLP, Iowa Homeless Youth Centers (Polk County) Street Outreach project, and Francis Lauer Youth Services. |
| Unit of General Purpose Local Government for the geographic area served (city or county): | City of Ames, Iowa |
| Project Description (2-3 sentences): | Project serves homeless youth ages 16-21 and young pregnant, parenting women up to age 25 and their children in transitional living programs (TLP) located in Boone, Marshall, Polk, and Story Counties. Street Outreach to homeless youth is provided by the Iowa Homeless Youth Centers. Shelter is provided by Francis Lauer Youth Serv. |

certify that I am duly authorized to act on behalf of the unit of general purpose local government named above, and that I hereby approve* of this project.

By: _____ Date _____
 Signature Date

Printed Name and Title of Signatory Local Official

* This approval is made to carry out 24 CFR Part 576.202(a), which states the following:

"... The recipient must sub-grant the remaining funds in its fiscal year grant to:
 (1) Units of general purpose local government in the State, which may include metropolitan cities and urban counties that receive ESG funds directly from HUD; or
 (2) Private nonprofit organizations, provided that for emergency shelter activities the recipient obtains a certification of approval from the unit of general purpose local government for the geographic area in which those activities are to be carried out."

Iowa Statewide ESG Policy: This certification is required at the earlier of: 1) at least once every two years; or 2) when a new contract is received, and the administration has changed for the applicable unit of general purpose local government.



**CERTIFICATION OF LOCAL GOVERNMENT APPROVAL
FOR NONPROFIT ORGANIZATIONS RECEIVING IOWA STATEWIDE
EMERGENCY SOLUTIONS GRANT (ESG) FUNDS FOR SHELTER**

| | |
|---|--|
| ESG Nonprofit Recipient: | ACCESS- Assault Care Center Extending Shelter and Support |
| ESG Shelter Project: | ACCESS Shelter/Housing Program |
| Unit of General Purpose Local Government for the geographic area served (city or county): | City of Ames, Iowa |
| Project Description (2-3 sentences): | ACCESS provides 16-18 beds of shelter in a newly adopted scattered site model within the City of Ames. Additionally, ACCESS compliments shelter with Rapid-Rehousing, homeless prevention, housing location, and essential community based support services. |

I certify that I am duly authorized to act on behalf of the unit of general purpose local government named above, and that I hereby approve* of this project.

By: _____
Signature Date

Printed Name and Title of Signatory Local Official

* This approval is made to carry out 24 CFR Part 576.202(a), which states the following:
 "...The recipient must subgrant the remaining funds in its fiscal year grant to:
 (1) Units of general purpose local government in the State, which may include metropolitan cities and urban counties that receive ESG funds directly from HUD; or
 (2) Private nonprofit organizations, provided that for emergency shelter activities the recipient obtains a certification of approval from the unit of general purpose local government for the geographic area in which those activities are to be carried out."

Iowa Statewide ESG Policy: This certification is required at the earlier of: 1) at least once every two years; or 2) when a new contract is received, and the administration has changed for the applicable unit of general purpose local government.



**CERTIFICATION OF LOCAL GOVERNMENT APPROVAL
FOR NONPROFIT ORGANIZATIONS RECEIVING IOWA STATEWIDE
EMERGENCY SOLUTIONS GRANT (ESG) FUNDS FOR SHELTER**

| | |
|---|--|
| ESG Nonprofit Recipient: | Emergency Residence Project |
| ESG Shelter Project: | Emergency Residence Project |
| Unit of General Purpose Local Government for the geographic area served (city or county): | City of Ames, IA |
| Project Description (2-3 sentences): | ERP provides emergency shelter in single site shelter and motel vouchers. ERP also provides transitional + homeless prevention assistance. |

I certify that I am duly authorized to act on behalf of the unit of general purpose local government named above, and that I hereby approve* of this project.

By: _____
 Signature Date

 Printed Name and Title of Signatory Local Official

* This approval is made to carry out 24 CFR Part 576.202(a), which states the following:
 "...The recipient must subgrant the remaining funds in its fiscal year grant to:
 (1) Units of general purpose local government in the State, which may include metropolitan cities and urban counties that receive ESG funds directly from HUD; or
 (2) Private nonprofit organizations, provided that for emergency shelter activities the recipient obtains a certification of approval from the unit of general purpose local government for the geographic area in which those activities are to be carried out."
 Iowa Statewide ESG Policy: This certification is required at the earlier of: 1) at least once every two years; or 2) when a new contract is received, and the administration has changed for the applicable unit of general purpose local government.

COUNCIL ACTION FORM

**SUBJECT: KEIGLEY BRANCH WATERSHED MANAGEMENT AUTHORITY 28-E
INTERGOVERNMENTAL AGREEMENT**

BACKGROUND:

As a founding member of the Squaw Creek Watershed Management Authority (WMA), the City of Ames, Story County, and other nearby jurisdictions were pioneers within Iowa in establishing such an intergovernmental group dealing with geographical watersheds, rather than only with jurisdictional boundaries. The Squaw Creek WMA has already had a number of successes in promoting wise land stewardship within this watershed. Funding for this group has been grant funds from the Iowa Department of Agriculture and Land Stewardship which were administered by the Iowa Department of Natural Resources.

Given the success of this initial WMA in promoting inter-jurisdictional cooperation, public education and improved watershed management practices, the Story County Board of Supervisors now desires to create a second WMA within the Skunk River watershed. A map of the proposed area is attached.

Chapter 466 of the Code of Iowa provides that WMA's can be created by interested counties, cities and Soil and Water Conservation Districts. The groups that will be eligible to participate in the Keigley Branch WMA are the counties of Story, Hamilton, Hardin and Boone, the Soil and Water Conservation Districts serving those four counties, and the cities of Ames, Roland, Story City and Randall.

Story County's Board of Supervisors has shared a vision of creating WMA's that cover the entire county and extend into abutting counties. These WMA's will provide the best available option for intergovernmental and public-private cooperation to improve water quality and reduce river flooding.

ALTERNATIVES:

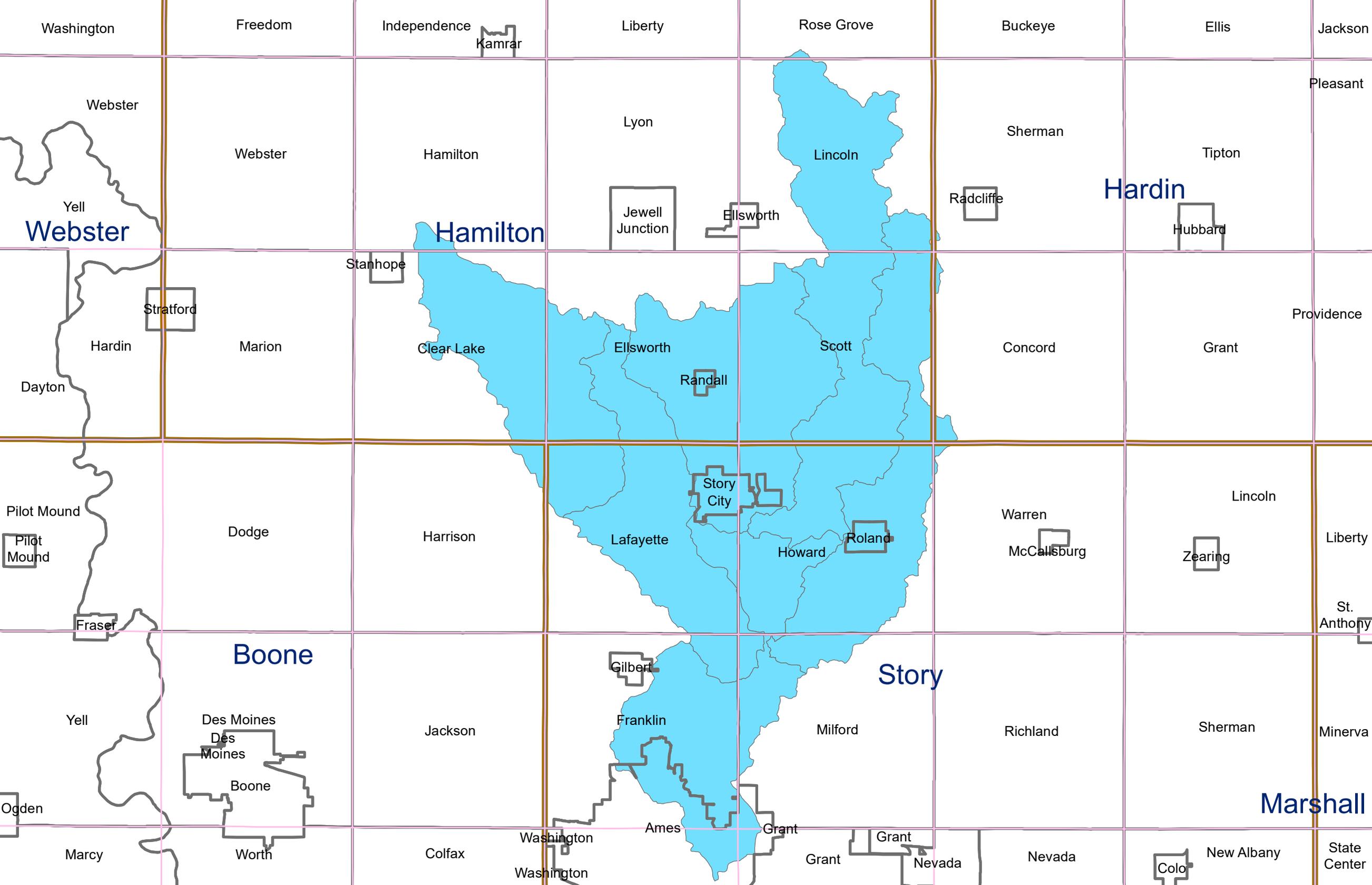
1. Approve the attached 28E intergovernmental agreement creating the Keigley Branch Watershed Management Authority.
2. Do not approve the attached agreement.

CITY MANAGER'S RECOMMENDED ACTION:

Riverine flooding and water quality are important issues affecting the City of Ames. Watershed Management Authorities are promising intergovernmental tools to link urban

and rural interests together leading to long-term improvements in water quality and reductions in flooding. Creation of the Keigley Branch WMA will help the City play a role in achieving those goals within the Skunk River watershed upstream of and within our community.

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



Webster

Hamilton

Hardin

Boone

Story

Marshall

DO NOT WRITE IN THE SPACE ABOVE – RESERVED FOR RECORDER

Prepared by Leanne Lawrie Harter, County Outreach and Special Projects Manager, 900 6th Street,
Nevada, Iowa 50201 515-382-7247

**Keigley Branch Watershed Management Authority Agreement
Between Story County, Boone County, Hamilton County, Hardin County,
City of Ames, City of Story City, City of Roland, City of Randall,
Story County Soil and Water Conservation District, Boone County Soil and Water
Conservation District, Hamilton County Soil and Water Conservation District, and
Hardin County Soil and Water Conservation District**

This Joint and Cooperative Agreement (hereinafter referred to as the “Agreement”) is entered into pursuant to the authority of the *Code of Iowa*, Chapter 28E on this ____ day of _____, 2017 by and between Story County, Boone County, Hamilton County, Hardin County, City of Ames, City of Story City, City of Roland, City of Randall, Story County Soil and Water Conservation District, Boone County Soil and Water Conservation District, Hamilton County Soil and Water Conservation District, and Hardin County Soil and Water Conservation District. All entities shall be referred to hereinafter as the “Cooperators”.

WHEREAS, *Code of Iowa* Chapter 466B authorizes two (2) or more political subdivisions, defined as including cities, counties and/or soil and water conservation districts, all of which must be located within the same United States Geological Survey Hydrologic Unit Code 10 watershed, to enter into agreement under Chapter 28E of the *Code of Iowa* to establish a watershed management authority to enable cooperation in supporting watershed planning and improvements for the mutual advantage of the political subdivisions involved; and

WHEREAS, pursuant to *Code of Iowa* Section 466B.23, a watershed management authority may perform all of the following duties:

1. Assess the flood risks in the watershed.
2. Assess the water quality in the watershed.
3. Assess options for reducing flood risk and improving water quality in the watershed.
4. Monitor federal flood risk planning and activities.
5. Educate residents of the watershed area regarding water quality and flood risks.
6. Allocate moneys made available to the authority for purposes of water quality and flood mitigation.
7. Make and enter into contracts and agreements and execute all instruments necessary or incidental to the performance of the duties of the authority. A watershed management authority shall not acquire property by eminent domain.

and;

WHEREAS, Story County, Boone County, Hamilton County, Hardin County, City of Ames, City of Story City, City of Roland, City of Randall, Story County Soil and Water Conservation District, Boone County Soil and Water Conservation District, Hamilton County Soil and Water Conservation District, and Hardin County Soil and Water Conservation District all deem establishment of the Keigley Branch Watershed Management Authority (the Authority), a watershed management authority encompassing all of the Keigley Branch watershed, a Hydrologic Unit Code 10 (HUC 10) watershed, to be of mutual advantage; and

WHEREAS, all political subdivisions within the watershed have been noticed within thirty days prior to the organization of the watershed management authority and provided the opportunity to participate as provided in *Code of Iowa* Section 466B.22; and

WHEREAS, it is mutually desired to enter into this Agreement pursuant to *Code of Iowa* Chapter 28E for the purpose of establishing the Keigley Branch Watershed Management Authority to carry out watershed planning and improvements in the Keigley Branch Watershed.

NOW THEREFORE, it is agreed by and between the parties as follows:

SECTION 1. IDENTITY OF THE PARTIES.

1.1 The Counties of Story, Boone, Hamilton, and Hardin are each a municipality of the State of Iowa, organized and operating pursuant to *Code of Iowa* Chapter 331. Their respective addresses are:

Story County
900 Sixth Street
Nevada, Iowa 50201

Boone County
201 State Street
Boone, Iowa 50036

Hamilton County Courthouse
2300 Superior Street, Suite 3
Webster City, Iowa 50595

Hardin County Courthouse
1215 Edgington Ave
Eldora, Iowa 50627

- 1.2 The Cities of Ames, Story City, Roland, and Randall are each a municipality of the State of Iowa, organized and operating pursuant to *Code of Iowa* Chapter 364. Their respective addresses are:

City of Ames
515 Clark Avenue
Ames, Iowa 50010

City of Story City
504 Broad Street
Story City, Iowa 50248

City of Roland
202 East Ash Street/P.O. Box 288
Roland, Iowa 50236

City of Randall
Box 36
Randall, Iowa 50231

- 1.3 The Soil and Water Conservation Districts of Story, Boone, Hardin, and Hamilton are each a governmental subdivision of the State of Iowa as defined in *Code of Iowa* Section 161A.3(6) and a soil and water conservation district established pursuant to Iowa Code Section 161A.5(1). Their respective addresses are:

Story County SWCD
510 South 11th Street
Nevada, Iowa 50201

Boone County SWCD
1602 Snedden Drive
Boone, Iowa 50036

Hamilton County SWCD
1921 Superior Street
Webster City, IA 50595-3145

Hardin County SWCD
840 Brooks Road
Iowa Falls, Iowa 50126

SECTION 2. KEIGLEY BRANCH WATERSHED BOUNDARY

The area within this Agreement shall be known as the Keigley Branch Watershed Boundary. As required by Iowa Code §466B.22(2), The areas and boundaries of the authority are shown in Attachment A.

SECTION 3. PURPOSE.

- 3.1 The purpose of this Agreement is to provide for the manner in which the parties shall cooperate with one another to successfully encourage, plan for, and implement watershed activities within the Keigley Branch Watershed, including but not limited to the following activities authorized pursuant to *Code of Iowa* Section 466B.23:
 - 3.1.1 Assess the flood risks in the watershed.
 - 3.1.2 Assess the water quality in the watershed.
 - 3.1.3 Assess options for reducing flood risk and improving water quality in the watershed.
 - 3.1.4 Monitor federal flood risk planning and activities.
 - 3.1.5 Educate residents of the watershed area regarding water quality and flood risks.
 - 3.1.6 Allocate moneys made available to the authority for purposes of water quality and flood mitigation.
 - 3.1.7 Make and enter into contracts and agreements and execute all instruments necessary or incidental to the performance of the duties of the authority. A watershed management authority shall not acquire property by eminent domain.

SECTION 4. NO SEPARATE ENTITY CREATED.

- 4.1 It is the intention of this Agreement that there be no new or additional legal or administrative entity created by this Agreement, nor that the inherent governmental powers of any Cooperator be affected in any way beyond the terms of this Agreement.
- 4.2 A joint board of the Cooperators known as the Keigley Branch Watershed Management Authority Board (the Board) shall be responsible for coordinating watershed planning and improvements. The Board shall be comprised of one appointee from each county, city, and district participating in this Agreement.
- 4.3 Once established, the Board will develop governing bylaws.

SECTION 5. DURATION.

This Agreement shall be in effect in perpetuity until terminated pursuant to Section 13.

SECTION 6. POWERS AND DUTIES.

- 6.1 The parties to this Agreement shall retain all powers and duties conferred by law but shall work together in the exercise of such powers and the performance of this Agreement. These powers shall not be transferred to the Authority. Each party to this Agreement shall be responsible for:
- 6.1.1 identifying opportunities for funding and in-kind support for the undertaking of watershed planning and improvements within the Keigley Branch Watershed;
 - 6.1.2 identifying opportunities for infrastructure development and planning capable of assessing and mitigating flood risks in the Keigley Branch Watershed;
 - 6.1.4 participating in educational/outreach programs regarding water quality and flood risks;
 - 6.1.5 identifying opportunities for infrastructure development and planning to assess and mitigate water quality in the Keigley Branch Watershed;
 - 6.1.6 providing support for the administration of any projects, including technical, financial and clerical, as agreed to by the Cooperators;
 - 6.1.7 securing such financing, including grants, loans and the issuance of bonds of loan agreements, as determined by the respective party to be necessary or desirable to achieve the objectives of the agreement;
 - 6.1.8 designing and bidding of projects;
 - 6.1.9 administering contracts; and
 - 6.1.10 observing construction.

SECTION 7. MANNER OF FINANCING.

The Board may solicit, accept and receive donations, endowments, gifts, grants, reimbursements and other such funds as necessary to support work pursuant to this Agreement. It is agreed and understood by the parties hereto that no financial obligations upon any Cooperator are intended to be created hereby.

No action to contribute funds by a Board member of the Authority is binding on the Cooperator that he or she represents without official approval by the governing body of that Cooperator. No

Cooperator may be required to contribute funds to the Authority, except to fulfill any obligation previously made by official action by the governing body of the Cooperator.

The Board will review each opportunity for funding or in-kind support. After review of the opportunity, a fiscal agent will be nominated. The fiscal agent would be a Cooperator or other organization meeting the fiscal agent standards outlined in the bylaws. Should no Cooperator or other organization accept the nomination of fiscal agent for the opportunity, the opportunity will not be considered.

SECTION 8. ENTIRE AGREEMENT.

This Agreement represents the entire understanding among the Cooperators and no Cooperator is relying on any representation or understanding which may have been made by another Cooperator and which is not included in this Agreement.

SECTION 9. SEVERABILITY/INVALIDITY.

If any term, provision or condition of this Agreement shall be determined to be invalid by a court of law, such invalidity shall in no way effect the validity of any other term, provision or condition of this Agreement, and the remainder of the Agreement shall survive in full force and effect unless to do so would substantially impair the rights and obligations of the Cooperators to this Agreement or substantially frustrate the attainment of the purposes of this Agreement.

SECTION 10. GOVERNING LAW.

This Agreement shall by governed by and interpreted under the laws of the State of Iowa.

SECTION 11. AMENDMENTS.

- 11.1 This Agreement may be amended at any time by an affirmative vote of the majority of the governing bodies of all Cooperators. Any Cooperator desiring an amendment to this Agreement shall notify the other Cooperators of its desire, and the reasons for the request.
- 11.2 Such a request shall be in writing to the other governing bodies of the Cooperators, and shall be considered by their governing body without unreasonable delay and within no more than ninety (90) days of receipt.
- 11.3 If the request is agreed to by the other Cooperators, each Cooperator shall prepare and submit to the others a certified resolution confirming the affirmative vote of the Cooperator's governing body.

11.4 The Amendment shall take effect ten (10) days following receipt of the last such resolution by the other Cooperators. Amendments shall be filed and recorded as required by Section 16 hereof.

SECTION 12. ADDITIONAL COOPERATORS

12.1 A City, County, or Soil and Water Conservation District within the Keigley Branch Watershed who is not a Cooperator, may request, in writing to all Cooperators, to become a Cooperator.

12.2 Such a request may be considered as an Amendment and shall follow the steps outlined in Section 11 hereof.

SECTION 13. PARTIAL OR FULL TERMINATION OF AGREEMENT.

The governing bodies of all Cooperators in the Authority may terminate this Agreement, or any part thereof, by a vote of the majority of the membership. Upon termination, all property and money then owned by the Authority shall be distributed equally among its members after payment of all debts. Any funds donated under a stipulation limiting their use shall be dispersed consistent with the owner's direction. The governing body of each jurisdiction may individually terminate their participation in the agreement after providing the Authority a ninety (90) days' prior written notice of intent to terminate. Such termination shall be effective on the expiration of the ninety (90) days.

SECTION 14. EFFECTIVE DATE.

This Agreement shall take effect upon execution by the Cooperators as required by law, and filing with the Secretary of State in an electronic format.

SECTION 15. NOTICES.

Notices under this Agreement shall be in writing and delivered to the representative of the party to receive notice (identified below) at the address of the party designated to receive notice for each Cooperator as set forth in this Agreement. The effective date of any notice under this Agreement shall be the date of actual delivery of such notice and not the date of dispatch. The preferred means of notice shall be either actual hand delivery, certified US Mail, return receipt requested with postage prepaid thereon, or by recognized overnight delivery service, such as FedEx or UPS.

Notices shall be delivered to the following persons at each Cooperator:

Story County: Chairperson, Story County Board of Supervisors
Story County Administration Building
900 Sixth Street
Nevada, Iowa 50201

Boone County: Chairperson, Boone County Board of Supervisors

Boone County Administration
201 State Street
Boone, Iowa 50036

Hardin County: Chairperson, Hardin County Board of Supervisors

Hardin County Courthouse
1215 Edgington Ave
Eldora, Iowa 50627

Hamilton County: Chairperson, Hamilton County Board of Supervisors

Hamilton County Courthouse
2300 Superior Street, Suite 3
Webster City, Iowa 50595

Ames: Mayor, City of Ames
City Hall
515 Clark Avenue
Ames, Iowa 50010

Story City: Mayor, City of Story City
504 Broad Street
Story City, Iowa 50248

Roland: Mayor, City of Roland
202 East Ash Street/P.O. Box 288
Roland, Iowa 50236

Randall: Mayor, City of Randall
Box 36
Randall, Iowa 50231

Story County Soil and Water Conservation District:

Chairperson, Story County SWCD
510 South 11th Street
Nevada, Iowa 50201

Boone County Soil and Water Conservation District:

Chairperson, Boone County SWCD
1602 Snedden Drive
Boone, Iowa 50036

Hamilton County Soil and Water Conservation District:

Chairperson, Hamilton County SWCD
1921 Superior Street
Webster City, IA 50595-3145

Hardin County Soil and Water Conservation District:

Chairperson, Hardin County SWCD
840 Brooks Road
Iowa Falls, Iowa 50126

SECTION 16. RECORDATION.

This Agreement shall be recorded pursuant to the requirements of *Code of Iowa*, Chapter 28E.

SECTION 17. ENTIRE AGREEMENT.

This Agreement and attachments attached hereto constitute the entire Agreement, among the Cooperators and supersedes or replaces any prior agreements among the Cooperators relating to its subject matter.

SECTION 18. NO WAIVER.

The waiver or acceptance by any Cooperator of a breach or violation of any provisions of this Agreement by another cooperator shall not operate as, or be construed to be, a waiver of any subsequent breach.

SECTION 19. NO ASSIGNMENT OR DELEGATION.

Neither this Agreement, nor any right or obligation under it, may be assigned, transferred or delegated in whole or in part to any outside party without the prior written consent of all the Cooperators.

SECTION 20. AUTHORITY AND AUTHORIZATION.

Each party to this Agreement represents and warrants to the other that it has the right, power and authority to enter into and perform its obligations under this Agreement; and that it has taken all requisite actions necessary to approve the execution, delivery and performance of this Agreement, and that this Agreement constitutes a legal, valid and binding obligation upon itself in accordance with the terms of the Agreement.

SECTION 21. HEADINGS AND CAPTIONS.

The paragraph headings and captions set forth in this Agreement are for identification purposes only and do not limit or construe the contents of the paragraphs.

SECTION 22. COUNTERPARTS.

The Cooperators agree that this Agreement has been or may be executed in several counterparts, each of which shall be deemed an original and all such counterparts shall together constitute one and the same instrument.

Dated this ____ day of _____, 2017.

STORY COUNTY, IOWA

BY:

Board of Supervisors Chair

ATTEST:

County Auditor

Dated this ____ day of _____, 2017.

BOONE COUNTY, IOWA

BY:

Board of Supervisors Chair

ATTEST:

County Auditor

Dated this ____ day of _____, 2017.

HAMILTON COUNTY, IOWA

BY:

Board of Supervisors Chair

ATTEST:

County Auditor

Dated this ____ day of _____, 2017.

HARDIN COUNTY, IOWA

BY:

Board of Supervisors Chair

ATTEST:

County Auditor

Dated this ____ day of _____, 2017.

AMES, IOWA

BY:

Mayor

ATTEST:

City Clerk

Dated this ____ day of _____, 2017.

STORY CITY, IOWA

BY:

Mayor

ATTEST:

City Clerk

Dated this ____ day of _____, 2017.

ROLAND, IOWA

BY:

Mayor

ATTEST:

City Clerk

Dated this ____ day of _____, 2017.

RANDALL, IOWA

BY:

Mayor

ATTEST:

City Clerk

Dated this ____ day of _____, 2017.

STORY COUNTY SOIL AND WATER CONSERVATION DISTRICT
STORY COUNTY, IOWA

BY: _____
Chairperson

ATTEST: _____
Secretary

Dated this ____ day of _____, 2017.

BOONE COUNTY SOIL AND WATER CONSERVATION DISTRICT
BOONE COUNTY, IOWA

BY: _____
Chairperson

ATTEST: _____
Secretary

Dated this ____ day of _____, 2017.

HAMILTON COUNTY SOIL AND WATER CONSERVATION DISTRICT
HAMILTON COUNTY, IOWA

BY: _____
Chairperson

ATTEST: _____
Secretary

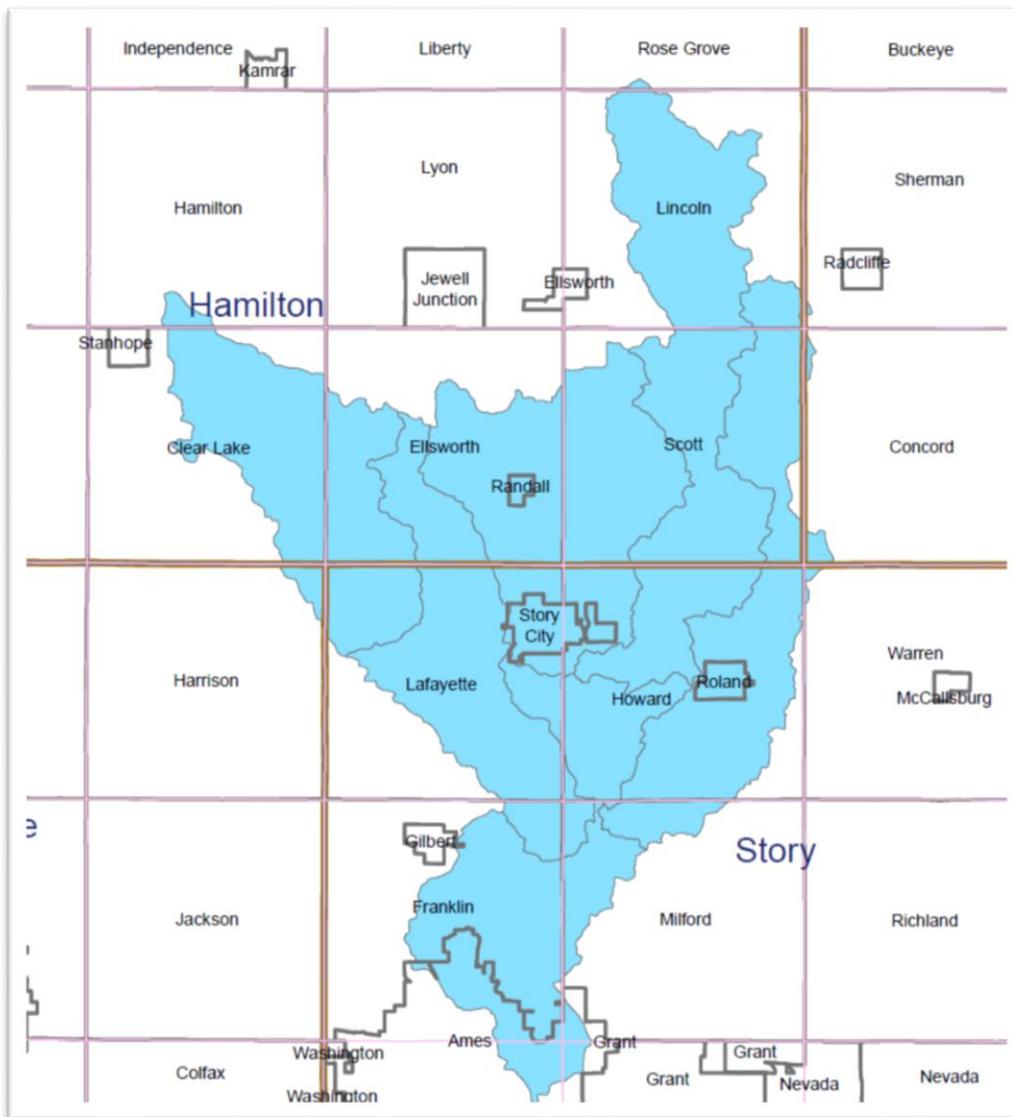
Dated this ____ day of _____, 2017.

HARDIN COUNTY SOIL AND WATER CONSERVATION DISTRICT
HARDIN COUNTY, IOWA

BY: _____
Chairperson

ATTEST: _____
Secretary

Attachment A – Keigley Branch Watershed Boundaries



COUNCIL ACTION FORM

SUBJECT: 2015/16 SANITARY SEWER REHABILITATION (SANITARY SEWER LINING) – CONSTRUCTION OBSERVATION SERVICES

BACKGROUND:

On September 13, 2016, City Council approved a professional services contract with WHKS & Co. from Ames, Iowa for planning and design of sanitary sewer system rehabilitation as a result of the Sanitary Sewer System Evaluation. On March 28, 2017, City Council awarded another construction contract that will provide sanitary sewer rehabilitation (sanitary sewer lining) to Hydro-Klean, LLC, of Des Moines, Iowa in the amount of \$2,048,362.10.

Considering the workload in the construction season as well as two Civil Engineer vacancies in Public Works Engineering, a request for proposals was issued to provide construction observation services for this sanitary sewer lining project. On June 16, 2017, staff received four proposals for construction observation services. Proposals were evaluated according to the following criteria: Project Understanding, Design Team, Key Personnel, Previous Experience, Project Approach, Responsiveness, Ability to Perform Work, Proposed Project Schedule, and Estimated Contract Cost. Listed below is the rating information based on this evaluation:

| Sanitary Sewer Rehabilitation Construction Observation Proposal Ratings | | | |
|--|------------------|-------------|----------------------|
| Firm | Score/100 | Rank | Estimated Fee |
| WHKS & Co. | 75 | 1 | \$141,600 |
| MSA | 69 | 2 | \$195,000 |
| CGA | 68 | 3 | \$187,420 |
| Bolton & Menk | 64 | 4 | \$115,700 |

WHKS & Co. scored the highest and has extensive experience in sanitary sewer rehabilitation methods. WHKS & Co. was also part of the original design team, which allowed them to develop significant knowledge of our sanitary sewer system and enabled staff to become familiar with the team structure, policies, and procedures.

This contract ensures compliance with the plans and specifications, assists in the required SRF funding documentation, and supports project close out. Staff is confident that quality services will be received at the best value.

Revenue and expenses associated with this program are estimated as follows:

| | Available Revenue | Estimated Expenses |
|---|--------------------------|---------------------------|
| State Revolving Funds (FY 15/16) | \$3,270,000 | |
| 2015/16 Sanitary Sewer Rehab (Sanitary Sewer Lining) (Under Contract) | | \$2,048,362 |
| Construction Observation (this contract) | | \$141,600 |
| Engineering/Administration | | \$375,000 |
| | \$3,270,000 | \$2,564,962 |

ALTERNATIVES:

1. Approve the construction observation services agreement for the 2015/16 Sanitary Sewer Rehabilitation with WHKS & Co. of Ames, IA, in an amount not to exceed \$141,600.
2. Direct staff to negotiate an engineering agreement with another consulting firm for construction observation services.

CITY MANAGER’S RECOMMENDED ACTION:

Based on staff’s current workload and expertise provided by WHKS & Co., contracting for these construction observation services will continue to provide the best value to the City. This team designed the sanitary sewer lining project and has experience with the planned rehabilitation methods and SRF funded projects.

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

COUNCIL ACTION FORM

SUBJECT: 2017/18 SOUTH DUFF AVENUE IMPROVEMENTS

BACKGROUND:

This project involves transportation system improvements along South Duff Avenue (US Highway 69) between the Iowa DNR's State Forest Nursery and Ken Maril Road. These improvements will address existing safety issues in the corridor as well as meet requirements associated with the Contract Rezoning Agreement of Bricke Town Development at 3115, 3119, 3301, 3325, 3409, and 3413 South Duff Avenue. As part of the agreement, the developer is responsible for stormwater management for the site (typical of development in accordance with Municipal Code Chapter 5B) as well as additional detention and conveyance as recommended in the City's Teagarden Drainage Improvement Report. In return, the City is responsible for transportation improvements south to Ken Maril Road. The Iowa DOT is also contributing funds to rehabilitate the existing pavement of US Hwy 69 through the project corridor.

This contract involves the design of the project. Elements include at least one public informational meeting which is expected to occur in September or October of 2017, design of the pavement improvements, drainage analysis and design of respective storm water improvements, and evaluation of the existing sanitary and storm sewer infrastructure. The design will include a shared use path from Kitty Hawk Drive to Ken Maril Road and a traffic signal at Crystal Street. Services will include a base survey, evaluation of construction technique, area drainage analysis, preparation of plans and specifications, notification and coordination with right of way users, and attendance at a pre-construction meeting. Also included will be plan development and all required submittals to meet City of Ames letting requirements, with an anticipated January 2018 bid letting for construction during the spring and summer of 2018 with an anticipated completion date of August 1, 2018.

Proposals for this work were received from eight engineering firms and were evaluated according to the following criteria: Project Understanding, Design Team, Key Personnel, Previous Experience, Project Approach, Responsiveness, Ability to Perform Work, Proposed Project Design/Letting Schedule, and Estimated Contract Cost. Listed below is the ranking information based on this evaluation:

| Engineering Firm | Overall Rank | Estimated Fee |
|---------------------------|--------------|---------------|
| Snyder & Associates, Inc. | 1 | \$133,000 |
| S.E.H. Inc. | 2 | \$155,600 |

| | | |
|------------------------------------|---|-----------|
| WHKS & Co. | 3 | \$189,900 |
| MSA | 4 | \$254,000 |
| Bolton & Menk | 5 | \$124,500 |
| Knight E/A, Inc. | 6 | \$149,857 |
| Veenstra & Kimm, Inc. | 7 | \$122,900 |
| Clapsaddle-Garber Associates, Inc. | 8 | \$130,405 |

Given the above rankings, staff has negotiated a contract with the highest ranked firm, Snyder & Associates, Inc., of Ankeny, Iowa. This consultant has performed work with the City in the past, including 2011/12 CyRide Route Pavement Improvements (Ontario Street), 2013/14 Downtown Street Pavement Improvements (5th Street), and most recently the Squaw Creek Water Main Protection project. This consultant also has extensive experience working with the Iowa DOT on highway routes and designing concrete overlays, which is the expected approach for the project after initial coordination with the Iowa DOT.

This project is shown in the 2017-2022 Capital Improvements Plan with funding in the amount of \$576,000 from General Obligation bonds (\$300,000 from previously issued bonds), and \$1,400,000 from State Grants/Funds, **bringing the total project budget for administration, engineering and construction to \$1,976,000.**

ALTERNATIVES:

1. Approve the engineering services agreement for the 2017/18 South Duff Avenue Improvements with Snyder & Associates, Inc., of Ankeny, Iowa, in an amount not to exceed \$133,000.
2. Direct staff to negotiate an engineering agreement with another consulting firm.

MANAGER’S RECOMMENDED ACTION:

Based on staff’s evaluation using the above criteria, Snyder & Associates, Inc. will provide the best value to the City in designing this project.

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

COUNCIL ACTION FORM

SUBJECT: 2017/18 ARTERIAL STREET PAVEMENT IMPROVEMENTS (13TH STREET FROM UPRR TO HARDING AVENUE)

BACKGROUND:

This annual program utilizes current repair and reconstruction techniques to improve arterial streets with asphalt or concrete. These pavement improvements are needed to restore structural integrity, serviceability, and rideability. Targeted streets are reaching a point of accelerated deterioration. By improving these streets prior to excessive problems, the service life will be extended. **The location for this project is 13th Street from the Union Pacific Railroad crossing to Harding Avenue.**

This contract involves the design of the project. Elements include at least one public informational meeting, design of pavement improvements, drainage analysis, and evaluation of the existing sanitary and storm sewer infrastructure. The design will also include a shared use path from Ridgewood Avenue to Northwestern Avenue as approved in the 2016/17 Shared Use Path System Expansion program.

Services will include a base survey, evaluation of construction technique, area drainage analysis, preparation of plans and specifications, notification and coordination with right of way users, and attendance at a pre-construction meeting. Also included will be plan development and all required submittals to meet Iowa Department of Transportation letting requirements, with an anticipated January 2018 bid letting for construction during 2018.

Proposals for this work were received from eleven engineering firms and were evaluated according to the following criteria: Project Understanding, Design Team, Key Personnel, Previous Experience, Project Approach, Responsiveness, Ability to Perform Work, Proposed Project Design/Letting Schedule, and Estimated Contract Cost. Listed below is the ranking information based on this evaluation:

| Engineering Firm | Overall Rank | Estimated Fee |
|---------------------------|--------------|---------------|
| Stanley Consultants, Inc. | 1 | \$81,500 |
| Shive-Hattery | 2 | \$125,000 |
| HDR | 3 | \$139,896 |
| WHKS & Co. | 4 | \$91,600 |
| Civil Design Advantage | 5 | \$97,500 |

| | | |
|------------------------------------|----|-----------|
| S.E.H. Inc. | 6 | \$123,400 |
| Snyder & Associates, Inc. | 7 | \$96,400 |
| Clapsaddle-Garber Associates, Inc. | 8 | \$105,846 |
| Knight E/A, Inc. | 9 | \$54,688 |
| Veenstra & Kimm, Inc. | 10 | \$98,900 |
| Bolton & Menk | 11 | \$110,000 |

Given the above rankings, staff has negotiated a contract with the highest ranked firm, Stanley Consultants, Inc., of Des Moines, Iowa. This consultant has performed work with the City in the past, most recently the East Industrial Area Utility Extension project and the 2013/14 Collector Street Pavement Improvements (Sheldon Avenue from Lincoln Way to Hyland Avenue).

This project is shown in the 2017-2022 Capital Improvements Plan with funding in the amount of \$620,000 from General Obligation bonds and \$1,060,000 from MPO/STP Funds, bringing the total project budget for administration, engineering and construction to \$1,680,000.

ALTERNATIVES:

1. Approve the engineering services agreement for the 2017/18 Arterial Street Pavement Improvements with Stanley Consultants, Inc., of Des Moines, Iowa, in an amount not to exceed \$81,500.
2. Direct staff to negotiate an engineering agreement with another consulting firm.

CITY MANAGER’S RECOMMENDED ACTION:

Based on staff’s evaluation using the above criteria, Stanley Consultants, Inc. will provide the best value to the City in designing this project.

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

COUNCIL ACTION FORM

SUBJECT: HEALTHIEST AMES REQUESTS FOR OPEN STREETS EVENT

BACKGROUND:

On Sunday, October 1, the Healthiest Ames organization plans to host its third annual Open Streets event. The event is intended to promote healthy activities, support local businesses, and encourage sustainable transport. To achieve this, activities such as wellness education, healthy food samples, and play activities will occur in the downtown area. Organizers expect up to 1,500 participants and plan to have 50 to 100 volunteers on hand to manage the activities. Healthiest Ames has held similar events the past two years.

The event will take place from 1:00 p.m. to 4:00 p.m. on October 1. To facilitate this event, organizers have made the following requests:

- Closure of Main Street from Clark Avenue to Douglas Avenue, from 8:00 a.m. to 5:00 p.m.
- Closure of 115 on-street metered parking spaces
- A blanket Temporary Obstruction Permit
- Use of electricity from City-owned electrical outlets along Main Street and waiver of electrical costs (approximately \$5 loss to the Electric Fund)

At last year's event, the Main Street closure extended to Pearle Avenue. In response to complaints regarding access to the Depot businesses, the proposed closure this year will leave Main Street open in front of the Depot and the Clark Avenue/Main Street intersection.

Although there will be vendors providing samples at the event, no money will change hands. Therefore, a Vending Permit is not required. **Additionally, because the event takes place on a Sunday, no parking meter revenues will be affected.** Event organizers have met with Main Street Cultural District (MSCD) staff regarding this event and MSCD has provided a letter of support. Healthiest Ames has obtained liability insurance for the event.

The organizers have provided a sample notification letter for each affected business and plan to go door-to-door to communicate with businesses and residents who may be affected by the activities.

ALTERNATIVES:

1. Approve the Healthy Streets Event requests for October 1, including the street and parking closures, blanket Temporary Obstruction Permit, use of electricity and waiver of fees.
2. Approve the requests, but require \$5 reimbursement for the use of City electrical outlets.
3. Do not approve the requests.

CITY MANAGER'S RECOMMENDED ACTION:

The proposed event is being conducted by a City-sponsored organization to promote healthy activities, nutrition, and lifestyles. It is a community event open to the public and will help draw residents to the downtown area. The event has been modified to address concerns from the previous year. This event has received the endorsement of the Main Street Cultural District.

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



SPECIAL EVENT APPLICATION

SUMMARY OF EVENT

DESCRIPTION

Event Name Open Streets

Description

Open Streets events temporarily close streets to automobile traffic to encourage people to use them for walking, bicycling, playing, socializing, and wellness education. The initial Open Streets event was held in 1974 in Bogota, Columbia and now events exist in over 90 cities throughout the nation, including: New York, Los Angeles, Minneapolis, Madison, Chicago, and Houston. Open Streets events are becoming increasingly common in cities seeking innovative and fun ways to achieve environmental, social, economic, and public health goals as well as innovative ways to promote healthy living, support local businesses and encourage sustainable transport!

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

Anticipated Attendance Total 1,500 Per Day 1,500

DATE/TIME

| | | | |
|--------------------------|-----------------------|---------------------|---------------------------|
| Setup | Date <u>10/1/2017</u> | Time <u>8:00 AM</u> | Day of Week <u>Sunday</u> |
| Event Starts | Date <u>10/2/2017</u> | Time <u>1:00 PM</u> | Day of Week <u>Sunday</u> |
| Event Ends | Date <u>10/1/2017</u> | Time <u>4:00 PM</u> | Day of Week <u>Sunday</u> |
| Teardown Complete | Date <u>10/1/2017</u> | Time <u>5:00 PM</u> | Day of Week <u>Sunday</u> |

Rain Date, if applicable _____

Rain Location, if applicable N/A

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

Healthiest Ames

Local Contact (Required)

Must be present during event

Name: John Shierholz

Address: 4788 Copperstone Drive, Ames, IA 50010

Telephone: (515) 232-5445

Cell phone: () _____

Must be available by cell phone during event

Email: jshierholz@mediacombb.net

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? 2

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

Main Street
CULTURAL DISTRICT
Ames, Iowa

June 12, 2017

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

Dear Mayor Campbell and City Council,

The Main Street Cultural District supports the closure of Main Street from Douglas to Clark for the Healthiest Ames event on Sunday, October 1, 2017. We are excited to see the activity hubs, fitness demonstrations, and the overall promotion of physical activity in the heart of our downtown community. This is the third year for the event, which keeps growing in popularity.

Sincerely,



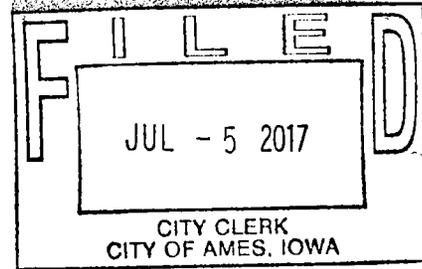
Paul Livingston
2017 MSCD Board President



Healthiest Ames
4788 Copperstone Drive
Ames, Iowa 50010

July 5, 2016

City of Ames
515 Clark Avenue
Ames, Iowa 50010



Dear Honorable Mayor Campbell and City Council,

Healthiest Ames is planning to host Open Streets on Sunday, October 1, 2017. The event will be hosted on Main Street from 1-4PM. This will be the fourth Open Streets hosted by Healthiest Ames and significant effort has been made to add new activities and improve the event to further increase participation.

The event route will start at Douglas Avenue and run to West of Clark Avenue. We will need to access electricity for a stage on the South end of Burnett Avenue near Tom Evans Park. The stage will be used for fitness demonstrations such as Zumba, yoga, and cardio dance.

Healthiest Ames is asking the city to waive electric fees for the stage. We appreciate all the support we have received from the City of Ames, and hope to continue hosting these events to make Ames one of the healthiest communities in Iowa.

Sincerely,

Healthiest Ames

COUNCIL ACTION FORM

SUBJECT: 2016/17 RIGHT-OF-WAY RESTORATION CONTRACT

BACKGROUND:

This program is for restoration of the right-of-way areas associated with various Capital Improvements Plan (CIP) projects.

Some areas are restored with sod, while others are restored using seed or dormant seed. Success using these various types of restoration is volatile and appears to depend on the weather at and following the time of installation. In locations where vegetation is not anticipated to be successful, other forms of restoration can be used, such as pervious pavement and colored, stamped, or standard concrete, as it fits the setting of the area.

Staff has seen success in the program, and has utilized observations from previous programs to improve this year's plans and specifications to provide a better overall project for the contractors, field inspection staff and citizens of Ames.

Locations included within this project are shown below. Other areas may be added by change order if necessary.

| STREET | FROM | TO | CIP LOCATION |
|--------------------|-----------------------|---------------------------|--|
| Northwood Drive | Duff Ave | | 2016/17 Asphalt Pavement Improvements & 2016-17 Water System Improvements Program #2 |
| Thompson Drive | Kellogg Ave | north to cul-de-sac | |
| Idaho Avenue | Ontario St | north to cul-de-sac | |
| Trail Ridge Road | Westbrook Dr | north to cul-de-sac | |
| Trail Ridge Circle | Trail Ridge Rd | west | |
| Westbrook Drive | Hickory Dr | North Dakota Ave | |
| Lincoln Way | Colorado Ave | 3700 block | 2015-16 West Lincoln Way Intersection Improvements |
| Franklin Avenue | 200' s of Lincoln Way | 200' north of Lincoln Way | |
| E 14th Street | Duff Ave | Meadowlane Ave | 2015-16 & 16-17 Seal Coat Street Pavement Improvements |
| Gable Lane | Ash Ave | Gray Ave | |
| S Maple Avenue | Lincoln Way | S 2nd St | |
| S 2nd Street | S Hazel Ave | S Oak Ave | 2016-17 Water System Improvements Program #2 |
| 8th Street | Northwestern Ave | Duff Ave | |
| Hayward Avenue | Storm St | Knapp St | |
| Little Street | Hayward Ave | Welch Ave | 2015-16 Downtown Street Pavement Improvements |
| Clark Avenue | Lincoln Way | Main St | |
| Oakwood Road | Cedar Lane | Green Hills Dr | Oakwood Road Trail |
| Cedar Lane | Oakwood Rd | Suncrest Dr | |
| Grand Avenue | 16th St | Murray Dr | 2016-17 Shared Use Path |
| Sherman Avenue | Lincoln Way | north | 2016-17 Downtown Street Pavement Improvements |

Costs associated with this project are estimated as follows:

| | |
|---|-------------------|
| Engineering and Construction Administration | \$ 17,316 |
| Restoration work (This Project) | \$ 115,438 |
| Total Estimated Costs | \$ 132,754 |

Approved project funding is shown below:

| | |
|--------------------------|------------------|
| Road Use Tax | \$ 225,000 |
| Water Utility Fund | \$ 50,000 |
| Storm Sewer Utility Fund | <u>\$ 50,000</u> |
| Total Funding | \$ 325,000 |

Funding not utilized by this project will be allocated to other locations and projects as needed to ensure properly restored rights of way.

ALTERNATIVES:

1. Approve the 2016/17 Right-of-Way Restoration Contract (Various Locations) by establishing August 2, 2017, as the date of letting and August 8, 2017, as the date for report of bids.
2. Direct staff to revise the project.

CITY MANAGER'S RECOMMENDED ACTION:

Proceeding with this project will make it possible to begin restoration efforts on projects held over from the 2016 construction season or that occurred this spring, as well as on projects planned for the 2017 construction season.

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

COUNCIL ACTION FORM

SUBJECT: AUDIO VISUAL EQUIPMENT FOR NEW WATER TREATMENT PLANT

BACKGROUND:

The new Water Treatment Plant project is budgeted to wrap up in the current fiscal year. The administrative office space includes a training room that was designed to be multi-functional, serving as two individual conference rooms or as a single large training room. The space is available for use by other City departments, who will be able to utilize the planned video conferencing system for things like project meetings, employment interviews and web-based training events.

The table below shows the entire project budget from 2008 through the final budget amendments approved by Council.

| | Water Fund | SRF Loan |
|-----------------|--------------|----------------------|
| All Prior Years | \$ 813,792 | \$ 39,728,135 |
| Current Year | 706,002 | 29,667,686 |
| Subtotal | \$ 1,519,794 | \$ 69,395,821 |
| TOTAL | | \$ 70,915,615 |

The construction package for the new facility intentionally excluded the training room technology equipment, out of concern that anything that was specified would have been out-of-date by the time it was installed three years after the bid opening. In May 2017, staff released a Request for Proposals, seeking qualified companies to provide and install a fully functional audio/visual system in the training room. Three proposals were received, with a price for the base equipment package as shown below.

| Proposing Firm | Price for Base Equipment Package |
|--|----------------------------------|
| Innovative Collaboration | \$ 61,482.00 |
| Communications Engineering Company | \$ 71,441.00 |
| Communication Innovators | \$ 95,635.00 |
| <i>Project allowance for AV system</i> | <i>\$ 77,400.00</i> |

Staff reviewed each proposal, scoring it on ten different factors that assessed the functionality of the equipment, the usability and “operator-friendliness” of the system, the experience of the proposing firm, and a qualitative estimation of cost versus functionality.

The lowest cost proposal was submitted by an out-of-state firm that provided minimal information about the equipment they would provide, and no information at all about

who would install and service the system. The highest cost proposal was determined by staff to be more extensive than needed and more complicated to operate than was desired.

The middle proposal from Communications Engineering Company (CEC) was scored the highest by staff. The system provided all of the functionality that was requested, and appears to be simple and straight-forward to operate. City staff have some familiarity with CEC, as they are the firm that provided the AV system used in the City Council Chambers.

Based on the staff evaluation, Communications Engineering Company was invited to meet with staff to review the equipment and confirm the final scope of work. Through that discussion, it was determined that some equipment that was included in their proposal was not needed. (The wireless networking proposed by CEC can be accommodated by the network already being installed by the City's Information Technology Division. Staff also asked that one of two proposed video conferencing cameras be omitted.)

Additional elements were added to the final scope of work. CEC has now included pricing to install higher quality microphones for the video conferencing system; wireless touch control panels to operate the room lights, sound, video, and projection screens; CATV tuner integration; the addition of a small PA speaker system to be used during public tours; and coaxial cable wiring for the training room and for select locations in the facility. **With the above described modifications to the scope of work, the final cost proposal from CEC is \$84,997.00.**

This work was anticipated as a part of the project and an allowance of \$77,400 was included in the project budget for this very purpose. It was part of the funds budgeted for things such as laboratory and maintenance equipment; telephone and network installation; furniture and appliances; and the water feature. There is also a contingency amount of \$35,000 remaining in this portion of the project budget, from which the \$7,597 shortfall can be covered.

ALTERNATIVES:

1. Accept the proposal from Communications Engineering Company of Ankeny, Iowa to provide and install an audio/visual system for the new water treatment plant in the amount of \$84,997.00.
2. Accept the proposal from one of the other two responding firms.
3. Do not proceed with the procurement of an audio/visual system at this time.

CITY MANAGER'S RECOMMENDED ACTION:

The budget for the new Water Treatment Plant includes an allowance for an audio/visual system to be installed in the training room. Communications Engineering Company submitted the highest scored proposal, and their adjusted proposal reflects several small adjustments to the scope of work. This will provide the new plant with an up-to-date audio/visual system for use by all City departments.

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

COUNCIL ACTION FORM

SUBJECT: AMES INTERMODAL FACILITY LICENSE AGREEMENT FOR INCIDENTAL USE OF PREMISES BY AMES POLICE DEPARTMENT

BACKGROUND:

Construction of the Ames Intermodal Facility was completed in July 2012. Financing for the facility came from a federal TIGER grant given to the Ames Transit Agency (CyRide). At that time CyRide entered into an agreement with the City for the Ames Police Department to share use of the facility's management office with Iowa State University's Parking Division. A joint agreement between the City and Iowa State University specifies that ISU's Parking Division manages the facility. The Ames Police Department agreement was a no cost lease which is now expired.

Occupancy of the management office by the Ames Police Department has strengthened security at the facility and has minimized vandalism. The Police Department uses the space as a satellite office for operations conducted by its Safe Neighborhoods Team.

Shared use of the management office with the Parking Division and Iowa State University has also worked well for both parties. Therefore, no changes to the previous agreement are being recommended by CyRide or the Police Department, with the exception of the length of the agreement and contract date. There is a desire to enter into a longer term, five year lease to reflect the success of the initial arrangement. The previous agreement was for one year with the option of two additional one year extensions.

The proposed contract was reviewed and approved by the Transit Agency Board of Trustees at its meeting on June 28, 2017.

ALTERNATIVES:

1. Approve a five year, no cost agreement between the Ames Transit Agency and the City of Ames for the Police Department to share use of the Ames Intermodal Facility management office.
2. Approve a one year agreement with two one-year contract extensions.
3. Do not approve an agreement between for shared use of the Ames Intermodal Facility management office.

CITY MANAGER'S RECOMMENDED ACTION:

The Safe Neighborhoods Team's presence within the Ames Intermodal Facility during evening and early morning hours has strengthened security at the facility and has provided a substantial benefit for the surrounding neighborhood at no cost for the Police Department's use of this space.

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

COUNCIL ACTION FORM

SUBJECT: **HEALTH BENEFITS CONSULTING AND ACTUARIAL VALUATION SERVICES**

BACKGROUND:

The City provides health benefits to full-time and regular part-time employees including health insurance, dental insurance, prescription drug coverage, flex spending, an employee wellness plan, and optional vision coverage. The health benefit and prescription drug plans are administered by Wellmark/Blue Cross of Iowa. The dental plan is administered by Delta Dental of Iowa, and the flex spending plan is administered by WageWorks. OutcomesMTM provides additional prescription drug services.

The City has three group benefit plans including Wellmark’s Classic Blue (indemnity plan that is closed to new enrollments), Alliance Select (PPO plan), and Blue Advantage (HMO plan). These plans are “grandfathered health plans” under the Patient Protection and Affordable Care Act (ACA). As permitted by the ACA, a grandfathered health plan can preserve certain basic health coverage that was already in effect when that law was enacted. Being a grandfathered health plan means that the plan may not include certain consumer protections of the ACA that apply to other plans, such as the requirement for the provision of preventive health services without any cost sharing. However, grandfathered health plans must comply with certain other consumer protections in the ACA, such as the elimination of lifetime limits on benefits. The City can maintain the grandfathered status by limiting changes to certain aspects of the plan, including employee contributions.

City staff has managed health benefits internally for several years. However, with the rollout of the ACA, increased and changing compliance requirements, and the complexity of analyzing and valuing proposed plan changes, staff has determined that the health plans can be better managed with the assistance of contracted, qualified professionals. Those same types of professionals have already been providing actuarial valuation services for several years to comply with reporting requirements for our self-funded health plan.

On January 31, 2017, the City solicited Request for Proposals (RFPs) for health benefits consulting and actuarial valuation services for our self-funded health plan. Requested services included actuarial analysis, Accountable Care Organization (ACO) evaluation and recommendations, health plan evaluation of grandfathered status, forecasting of health claim costs, and consultation regarding plan design, rate setting and compliance with regulations. Additionally, the firm will provide assistance in evaluating our compliance needs for Cy-Ride’s variable hour employees under the

Affordable Care Act (ACA) including possible solutions or resources for tracking benefit eligibility.

The RFP was issued to 21 firms with responses received from seven firms. An evaluation committee comprised of City staff members from the Human Resources, Police and Finance Departments ranked the proposals based on the matrix provided in the RFP. Each proposal was evaluated based on a combination of cost of services; the Consulting Firm’s qualifications, benefit consulting expertise, certified actuarial personnel & resources; similar services provided for other governmental entities of similar size with self-insured health benefit plan models and the ability to benchmark those plans; references; and the availability of the team to meet our timeline. The score of each criterion was based on a scale of 1 to 10 and then assigned a corresponding weight factor. The maximum possible score, combining all five evaluators, was 4000. The qualifications, expertise, personnel and resources, similar services, references related scores represent 70% of the overall score, and proposed costs accounted for 30%. The proposed ranking and costs listed below:

| Consulting Firm | Total Score | Rank | Fee Proposal for 5 Year Term |
|--|--------------------|-------------|-------------------------------------|
| Arthur J. Gallagher & Co, Centennial, CO | 5869 | 1 | \$203,000 |
| LMC Insurance & Risk Management, West Des Moines, IA | 5824 | 2 | \$244,000 |
| Cottingham & Butler, Dubuque, IA | 5724 | 3 | \$150,150 |
| Holmes Murphy & Associates, Des Moines, IA | 2600 | 4 | \$225,000 |
| Mercer Health & Benefits, LLC, New York, NY | 2325 | 5 | \$250,000 |
| Silverstone Group, Omaha, NE | 1650 | 6 | \$ 40,500 * |
| Jefferson Solutions, Clifton Park, NY | 740 | 7 | \$ 35,200 * |

* provided proposal for Actuarial services only

The top three consulting teams were next invited in for interviews. All three provided a brief presentation introducing their team members and their roles and demonstrating their understanding of the scopes of services. Interviews were evaluated based on a clear understanding and clarity of the services required including responses to questions posed, the demonstration of their experience and approach with Health Benefits Consulting Services and Actuarial Services with other self-insured entities similar to ours, their cohesive approach and what sets them apart from the other firms. As with the proposal scoring, each criteria was weighted and given a score based on a scale of 1 to 10. The interview scores, with a maximum possible of 4000, are shown above.

Based on a unanimous decision by the evaluation team following the interviews, responses to follow up questions, and the determination of the best value to the City, the final three firms were ranked as follows:

| Firm | Total Score | Rank | Fee Proposal for 5 Year Term |
|--|-------------|------|------------------------------|
| Arthur J. Gallagher & Co, Centennial, CO | 5869 | 1 | \$203,000 |
| LMC Insurance & Risk Management, West Des Moines, IA | 5824 | 2 | \$244,000 |
| Cottingham & Butler, Dubuque, IA | 5724 | 3 | \$150,150 |

Gallagher and LMC ranked very closely, though Gallagher has significantly more experience in successfully providing the services the City is requesting to similar local government health benefit plans than the other two finalists. Cottingham & Butler was rated lower in the qualitative areas but scored well primarily due to their lower cost proposal. Given the limited experience of our current staff in managing self-funded health benefit services, the selection team believed that Gallagher’s expertise will best serve the City in the near term.

For actuarial services, all finalists were well qualified to provide the services requested. However, the services were proposed together in the RFP, since the actuarial data gathered for valuation can also be used for other health benefit analysis. Gallagher provides both consulting and actuarial services with company staff. LMC had a strong partnership with actuarial firm Milliman. Cottingham & Butler submitted the proposal with Nyhart, a well-qualified actuarial firm, but did not demonstrate a history of working together to provide the type of integrated services the City requested.

Funds for the services in this proposed contract will be paid from the City’s Health Benefits Trust Fund. The FY 2017/18 Budget already includes \$12,000 for actuarial valuation services. Since the health benefits consulting portion of the contract was not anticipated when the FY 2017/18 Budget was assembled, that \$29,000 expense will initially come from the fund’s available balance and will be included in a future FY 2017/18 budget amendment. However, no net impact on the FY 2017/18 budget is expected due to salary savings in Human Resources. Future year costs of the contract will then be included as part of the regular budgeting process and financial planning for the fund.

ALTERNATIVES:

1. Award a three-year contract with an option to renew for two additional one year periods to Gallagher for health benefits consulting and actuarial valuation services beginning July 11, 2017 to June 30, 2020, at a cost of \$41,000 in FY 2017/18, \$42,000 in FY 2018/19, and \$37,000 in FY 2019/20.
2. Direct staff to negotiate a contract for consulting services with one of the other firms that submitted a proposal to the City.
3. Do not award a contract for the Health Benefits Consulting Services and Actuarial Valuation Services Contract.

CITY MANAGER'S RECOMMENDED ACTION:

Gallagher has an extensive record of providing health benefit consulting and actuarial services to city government and public organizations throughout Iowa. Utilizing Gallagher's services will strengthen administration of City self-funded health benefits by providing actuarial analysis, evaluating and supporting compliance, and analyzing cost saving approaches such as an ACO. Awarding this contract will provide the best value to the City by providing independent professional assistance in administering our health insurance plan.

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

COUNCIL ACTION FORM

SUBJECT: CONTRACT EXTENSION FOR 800 MEGAHERTZ TRUNKED RADIO EQUIPMENT, PAGERS, AND RELATED EQUIPMENT AND SERVICES

BACKGROUND:

The 800 megahertz (MHz) trunked radio system provides for interactive communication between many City work groups and departments, as well as with the Story County Sheriff's Office, Iowa State University, Mary Greeley Medical Center, and all of Story County's other emergency responders.

On June 23, 2015, City Council awarded a contract to Electronic Engineering Co. for 800 MHz trunked radio equipment, pagers, and related equipment and services for City departments. The contract provided for lease of general radio equipment, law enforcement equipment, equipment installation and maintenance, and paging equipment and services through June 30, 2017. That agreement allowed City departments to continue to receive radio services provided locally by Electronic Engineering Company.

Radio equipment furnished under the contract includes portable and vehicle radios, base station radios, and specialized law enforcement communication equipment. The City currently has approximately 425 radios leased and 21 radios with only a tower fee previously purchased under this contract. The City also has two pagers for Information Services, and will continue to maintain the pricing and availability of pagers on this contract for unexpected needs. At this time the Police and Fire Departments are the largest users of the City radio contract. Interactive communication with public safety agencies throughout Story County also occurs on this radio system. The total annual cost for radio equipment and related services is approximately \$290,000 per year.

The Story County E-911 Board completed a study of the current radio system in the Fall of 2010. The Board's consultant recommended that the County begin planning for a new radio system due to the aging equipment and limitations of the current radio technology. Since that time, the radio consoles have been replaced in the Ames, ISU and Story County Communication Centers. In addition, some of the handheld and mobile radios have been updated. These changes allowed the City to extend the life of the current equipment, but have not eliminated concerns about reliability of the core system.

In response to these concerns, staff created a Radio Communications Team to evaluate existing communication systems/providers in the area who might offer a viable alternative to the City's existing system. The team recognized that there are changes in technology and new Federal regulations that the City will need to consider. In addition,

City staff has joined with other Story County radio users in a joint effort to identify and hire a professional radio consultant to assist with those changes. A group that includes City staff members completed on-site interviews with five consulting firms during the last week of June, and hopes to have a consultant under contract by the end of July. The Story County E911 Board has allocated funds to hire this consultant.

It should be emphasized that it will take some time to develop alternatives, and the implementation of an alternative program will require a significant investment. **Until a feasible plan can be established and implemented, continuation of the current radio contract is in the best interest of the City.**

The proposed contract extension with Electronic Engineering is for one year beginning July 1, 2017, and ending June 30, 2018. Prices under the proposed contract reflect a \$0.50 per month per radio increase in the tower fee. With 446 radios on the system, the total annual cost increase in the tower fee will be \$2,676 across all City departments. All other equipment prices will remain unchanged from the current contract.

Historically, the Story County E911 Board paid the tower fees of the Police and Fire Departments, the two largest users under this contract. The E911 Board also paid the tower fees for other emergency response agencies in Story County. In 2013, it was reported to City Council that, because of declining revenues, the E911 Board would gradually shift that cost back to the cities and towns. That shift was to occur over a four-year period. Since that time, changes have been made in the state allocation of 911 surcharge dollars that returned additional revenues to the E911 Board. Consequently, the Board has determined that it will continue to pay 50% of the tower fees for Police and Fire. In the current fiscal year the E911 Board paid approximately \$12,000 as its 50% share of tower fees.

ALTERNATIVES:

1. Approve the contract extension with Electronic Engineering Co. to provide 800 MHz trunked radio equipment, pagers, and related equipment and services for City departments from July 1, 2017, through June 30, 2018.
2. Reject the contract with Electronic Engineering Co. and attempt to purchase radio and pager services on an as-needed basis until the County-wide radio system study is completed and the Story County E-911 board acts on the resulting recommendations.

MANAGER'S RECOMMENDED ACTION:

The proposed one year contract extension for radio and pager equipment and services will ensure continuation of critical interactive communication between City work groups and departments, as well as with the Story County Sheriff's Office, Iowa State University, Mary Greeley Medical Center, and all Story County emergency responders. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

COUNCIL ACTION FORM

SUBJECT: POWER PLANT COOLING TOWER REPLACEMENT – TAX LIABILITY SETTLEMENT

BACKGROUND:

On March 24, 2015, the City Council awarded a contract to demolish the Power Plant's old Unit 7 and Unit 8 cooling towers and to erect new fiberglass towers to EvapTech, Inc., of Lenexa, Kansas, for this project at a contracted cost of \$2,810,000. There were a total of six change orders to this contract which increased the overall cost to \$2,919,338.15.

On November 11, 2016, the City Council accepted this project as complete at a total cost of \$2,919,338.15. As part of the closeout process, EvapTech was required to provide proof that they had paid all the applicable sales taxes for this project. This proof is one of the requirements that must be met before the retainage can be released. Unfortunately, there was confusion between EvapTech and City staff regarding handling of the sales tax payment. As a result, the retainage has still not been released.

As part of the Power Plant Gas Conversion project, several contracts were reviewed for sales tax requirements. This Cooling Tower Replacement project was originally determined to be new construction, therefore subject to sales tax for all purchases of materials incorporated into the project. After award of contracts, some of the contracts were determined (post award) to be tax exempt as personal tangible property. This project was included in that later review and was determined by City staff to be tax exempt (post award) at that time. The reason was that process equipment is considered personal tangible property; and since Electric Services charges sales tax to our customers, the equipment used in the process of generating electricity can be purchased tax exempt. A change order was to be issued along with the tax exemption certificates created for each of the projects deemed tax exempt. Although the tax-exempt certificate was issued on April 13, 2015 to EvapTech, the change order was never issued to them.

These actions and interpretations created confusion among both City staff and EvapTech. After a significant amount of time had passed, Finance Department staff determined that the Cooling Tower Replacement project had been incorrectly classified as tax exempt due to a ruling issued by the Iowa Department of Revenue for the construction of a cooling tower dated back to June 10, 1975. After review with the City's Legal Department, on June 7th a letter revoking the tax-exempt certificate was issued to EvapTech because the City did not issue a change order to change the contract. No further communication occurred between EvapTech and the City until the final project closeout process started in November 2016.

City staff's ultimate position was that the project was a taxable project based on the requirements at the time of the bid, and that a change order was never issued to modify the contract. Therefore, it would be the contractor's responsibility to provide proof that the applicable Iowa Sales Tax was paid.

EvapTech held a different position, believing it acted in good faith after the tax exemption certificate was issued to them at the start of the project, as well as that too much time has passed to revoke the tax exemption certificate since it was issued at the start of the project over a year ago.

After six months of discussion on this matter, EvapTech proposed to the City a settlement for the outstanding tax liability whereby the parties would equally split the sales tax liability. City staff evaluated the proposed settlement and determined it to be reasonable and in the City's best interest. It is critical for Electric Services to maintain a good relationship with EvapTech for further work that may be needed on the cooling towers.

There is currently \$87,640.76 in project retainage being held, which is equal to the total sales tax liability for the project.

The following steps must occur for this settlement to take effect:

1. EvapTech will provide a written agreement that it will pay the outstanding sales tax of \$87,640.76 to the State of Iowa and provide proof of the transaction to the City. **(Completed.)**
2. The settlement will be presented for City Council approval on July 11, 2017.
3. Upon approval by the City Council, the City Clerk's office will issue a resolution documenting the action taken. A copy of the resolution will be provided to EvapTech electronically.
4. Upon receipt of the City's resolution, EvapTech will pay the State of Iowa the full tax liability of \$87,640.76 and provide the City with proof of payment.
5. Upon receipt of the proof of payment to the State, the City will release the remaining \$87,640.76 in project retainage being held. In addition, the City will issue a check for \$43,820.38 to Evaptech within 10 days of proof of payment for 50% of the tax liability.

The final contract amount for the cooling tower project that was accepted by Council last November was \$2,919,338.15. The settlement proposed in the amount of \$43,820.38 will increase the final contract amount to \$2,963,158.53. This amount can still be covered by the \$4,000,000 in funding included in the Capital Improvements Plan for this project.

ALTERNATIVES:

- 1) Accept the tax liability settlement proposed by EvapTech, Inc. of Lenexa, KS; and authorize a payment of \$43,820.38 to EvapTech after their obligations under the agreement have been fulfilled.
- 2) Direct staff to not accept the proposed settlement and seek a legal remedy.

CITY MANAGER'S RECOMMENDED ACTION:

It's clear that there has been a failure to communicate in a timely fashion from both parties over the sales tax liability issue which has been going on for over a year. Both the City and EvapTech believe strongly that their positions are solid and there has been little movement. The City desires to come to a resolution, since it is critical for Electric Services to maintain a good working relationship with EvapTech for future work that may be need on the cooling towers.

City staff agrees that the contractor for the Cooling Tower Replacement project has completed all of the work specified under the contract which Council has already accepted, and feels that the City should accept the proposed settlement for the sales tax liability on this project.

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



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MEMO

To: Mayor and Members of the City Council

From: City Clerk's Office

Date: July 11, 2017

Subject: Contract and Bond Approval

There is no Council Action Form for Item No. 20. Council approval of the contract and bond for this project is simply fulfilling a *State Code* requirement.

/jr

COUNCIL ACTION FORM

**SUBJECT: 2016/17 ACCESSIBILITY ENHANCEMENT PROGRAM
(24TH STREET & DUFF AVENUE, 11TH STREET & CLARK AVENUE,
NORTHWESTERN AVENUE & MCKINLEY DRIVE, AND
NORTHWESTERN AVENUE & JOHNSON STREET)**

BACKGROUND:

This annual program combines sidewalk and ADA ramp improvements with additional accessibility upgrades at traffic signals and other publicly owned parking facilities. This program will provide for removing and replacing sidewalk intersection crosswalk panels and handicap ramps at locations that fail to meet the Americans with Disabilities Act (ADA) requirements to have truncated dome warning panels installed. It also includes retrofitting existing signalized traffic control devices with audible and vibrotactile push-buttons, and upgrading parking stalls to current accessible standards in any on-street location or parking lot owned by the City.

This program may be combined with and used in conjunction with roadway, traffic signal replacement, or shared use path improvement projects for pedestrian ramp reconstruction. This program provides safer pedestrian facilities and limits the City's liability for injury to residents using public sidewalks that are in a deteriorated condition. The program also improves ADA accessibility at municipal facilities.

Several requests from citizens were submitted for improvements at four different intersections across town that currently do not meet ADA requirements. The requests involve construction and reconstruction of pedestrian ramps at the following intersections: 24th Street and Duff Avenue, 11th Street and Clark Avenue, Northwestern Avenue and McKinley Drive, and Northwestern Avenue and Johnson Street.

On October 25, 2016 City Council awarded this project to TK Concrete, Inc. of Pella, Iowa in the amount of \$77,550.00. Construction was completed in the amount of \$76,121.00.

Revenue and expense for the project are summarized below:

| | <u>Revenue</u> | <u>Expenses</u> |
|---|-----------------|-----------------|
| 16/17 Accessibility Enhancement Program | \$150,000 | |
| Construction | | \$76,121 |
| Engineering and Administration | | \$11,419 |
| | <hr/> \$150,000 | <hr/> \$87,540 |

ALTERNATIVES:

1. Accept the 2016/17 Accessibility Enhancement Program project as completed by TK Concrete, Inc. of Pella, Iowa, in the amount of \$76,121.00.
2. Direct staff to pursue modifications to the project.

CITY MANAGER'S RECOMMENDED ACTION:

This project has been completed in accordance with the approved plans and specifications.

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

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 302, 304, AND 308 SOUTH 3RD STREET

BACKGROUND:

The City's subdivision regulations in Chapter 23 of the Ames Municipal Code include the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The regulations also describe the process for combining existing platted lots or adjusting the boundary lines of existing tracts. Section 23.308 allows the use of a plat of survey for a boundary line adjustment.

This plat of survey combines three existing lots into a single parcel. The eastern lot is the site of a party rental business. The two western lots are currently vacant after the recent demolition of the homes that were on the properties. The combined properties are planned to accommodate an expansion of the party rental business. The zoning is South Lincoln Sub Area Mixed-Use District (S-SMD). The plat of survey does not require any new public infrastructure as it is already in place.

Approval of this plat of survey (Attachment B) will allow the applicant to prepare the official plat of survey and submit it to the Planning and Housing Director for review. The Director will sign the plat of survey confirming that it fully conforms to all conditions of approval. The prepared plat of survey may then be signed by the surveyor, who will submit it for recording in the office of the County Recorder.

ALTERNATIVES:

1. The City Council can approve the proposed plat of survey consistent with the boundary line adjustment standards of Chapter 23.
2. The City Council can deny the proposed plat of survey if the City Council finds that the requirements for plats of survey as described in Section 23.308 have not been satisfied.
3. The City Council can refer this back to staff and/or the owner for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed plat of survey for a boundary line adjustment does not trigger City infrastructure requirements as defined within the Subdivision Code. The resulting lot meets the underlying zoning standards.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1 to approve the plat of survey.

ADDENDUM
PLAT OF SURVEY FOR 302, 304, AND 308 S. 3rd STREET

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

- Conveyance parcel (per Section 23.307)
- Boundary line adjustment (per Section 23.309)
- Re-plat to correct error (per Section 23.310)
- Auditor's plat (per Code of Iowa Section 354.15)

The site is located at: 302, 304, and 308 S. 3rd Street

Owner: D & N Venture, LLC
Parcel ID: 09-11-175-050, 09-11-175-040, and 09-11-175-030

New Legal Descriptions: Parcel "BG" located in Lot 1 and Lot 2 in Cayler's Subdivision, Ames, Story County, Iowa and in a Part of the Northeast 1/4 of the Northwest 1/4 of Section 11, Township 83 North, Range 24 West of the 5th P.M., Story County, Iowa.

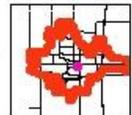
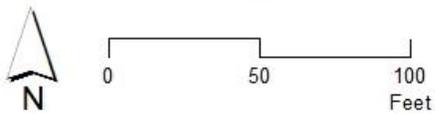
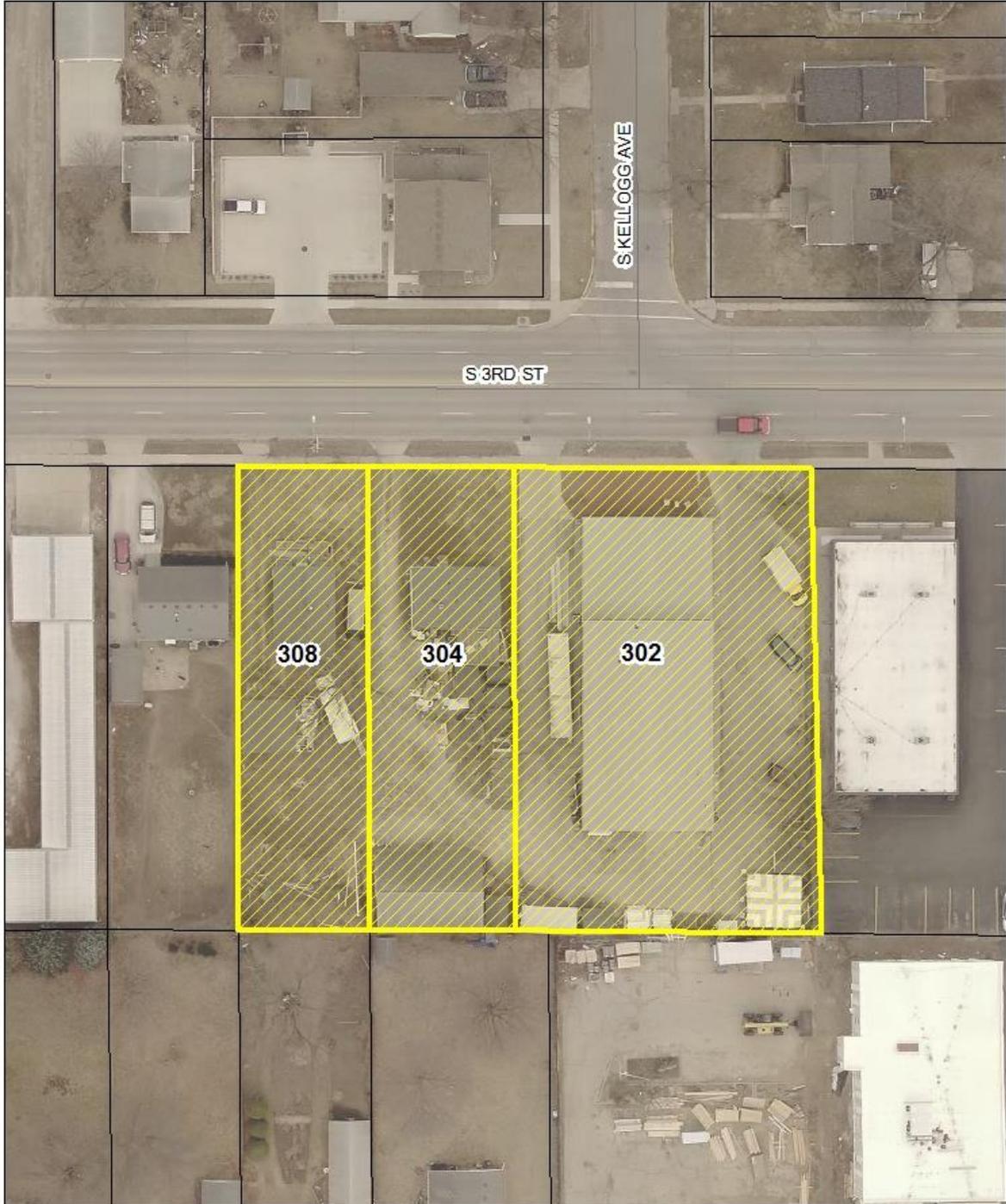
Public Improvements:

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

- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable.

Note: The official plat of survey is not recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

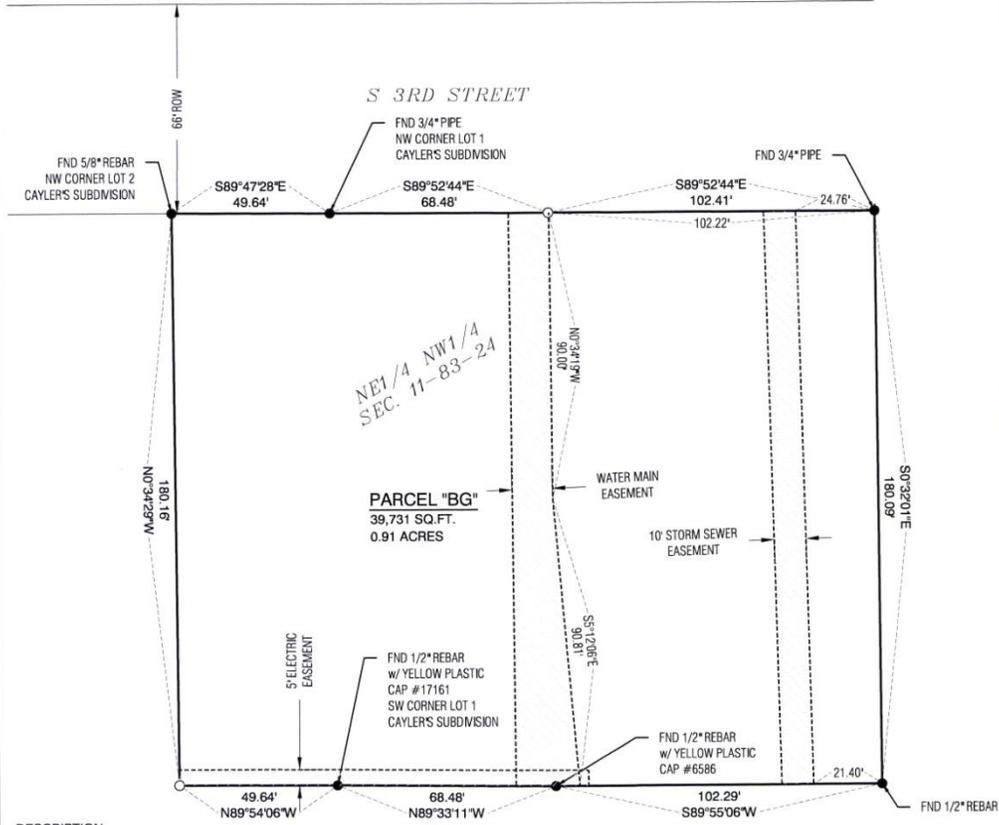
ATTACHMENT A: LOCATION MAP



ATTACHMENT B: PLAT OF SURVEY

PLAT OF SURVEY

| INDEX LEGEND | |
|-----------------------|--|
| LOCATION: | NE 1/4 OF THE NW 1/4 SECTION 11 TOWNSHIP 83 NORTH RANGE 24 WEST |
| PROPRIETOR: | D & N VENTURES LLC |
| SURVEY REQUESTED BY: | WOODRUFF CONSTRUCTION, LLC |
| FIELD WORK COMPLETED: | 3/16/2017 |
| SURVEY PREPARED BY: | CLAPSADDLE-GARBER ASSOCIATES, INC., 16 EAST MAIN STREET, P.O. BOX 754, MARSHALLTOWN, IOWA 50158 PHONE 641-752-6701 TSTEWART@CGACONSULTANTS.COM |



DESCRIPTION
 PARCEL "BG" LOCATED IN LOT 1 AND LOT 2 IN CAYLER'S SUBDIVISION, AMES, STORY COUNTY, IOWA, AND IN A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5th P.M., STORY COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTHWEST CORNER OF LOT 2 IN SAID CAYLER'S SUBDIVISION; THENCE, S89°47'28"E 49.64' ALONG THE NORTH LINE OF SAID LOT 2 TO THE NORTHWEST CORNER OF LOT 1 IN SAID CAYLER'S SUBDIVISION; THENCE, S89°52'44"E 68.48' ALONG THE NORTH LINE OF SAID LOT 1 TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE, S89°52'44"E 102.41' TO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN INSTRUMENT NO. 2017-04178; THENCE, S0°32'01"E 180.09' ALONG THE EAST LINE OF SAID PARCEL TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE, S89°55'06"W 102.29' ALONG THE SOUTH LINE OF SAID PARCEL TO THE SOUTHWEST CORNER OF SAID LOT 1 IN CAYLER'S SUBDIVISION; THENCE, N89°33'11"W 68.48' ALONG THE SOUTH LINE OF SAID LOT 1 TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE, N89°54'06"W 49.64' ALONG THE SOUTH LINE OF SAID LOT 2 TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE, N0°34'29"W 180.16' ALONG THE WEST LINE OF SAID LOT 2 TO THE POINT OF BEGINNING. PARCEL "BG" CONTAINS 0.91 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

- LEGEND:**
- ▲ GOVERNMENT CORNER MONUMENT FOUND
 - △ GOVERNMENT CORNER MONUMENT SET
 - PARCEL OR LOT CORNER MONUMENT FOUND
 - SET 1/2" x 30" REBAR w/ORANGE PLASTIC ID CAP #17162
 - () RECORDED AS

NOTE:
 ALL BEARINGS ARE THE RESULT OF G.P.S. OBSERVATIONS.

| | | | | | | | | | | | | |
|---|--|--|--|--|-------|-----------|-----|---|------|-------------|------------|---------|
| | <p>CELEBRATION'S PLAT OF SURVEY STORY COUNTY</p> | | | | | | | | | | | |
| | <p>I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Iowa.</p> | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">Clapsaddle-Garber Associates, Inc. 16 East Main Street Marshalltown, Iowa 50158 Ph 641-752-6701 www.cgaconsultants.com</td> </tr> <tr> <td>DRAWN</td> <td>SHEET NO.</td> </tr> <tr> <td>RWA</td> <td>1</td> </tr> <tr> <td>DATE</td> <td>PROJECT NO.</td> </tr> <tr> <td>06-29-2017</td> <td>5640.05</td> </tr> </table> | Clapsaddle-Garber Associates, Inc. 16 East Main Street Marshalltown, Iowa 50158 Ph 641-752-6701 www.cgaconsultants.com | | DRAWN | SHEET NO. | RWA | 1 | DATE | PROJECT NO. | 06-29-2017 | 5640.05 |
| Clapsaddle-Garber Associates, Inc. 16 East Main Street Marshalltown, Iowa 50158 Ph 641-752-6701 www.cgaconsultants.com | | | | | | | | | | | | |
| DRAWN | SHEET NO. | | | | | | | | | | | |
| RWA | 1 | | | | | | | | | | | |
| DATE | PROJECT NO. | | | | | | | | | | | |
| 06-29-2017 | 5640.05 | | | | | | | | | | | |
| <p>Travis R. Stewart, PLS _____ date _____ Iowa License Number 17162 My License Renewal Date is December 31, 2017 Pages or sheets covered by this seal: THIS SHEET</p> | | | | | | | | | | | | |

J:\5640\cwg\Survey\5640-Final Plat.dwg - Plat of Survey - 06-29-17 - 2:41pm - ncs26

PLAT OF SURVEY

| INDEX LEGEND | |
|-----------------------|--|
| LOCATION: | NE 1/4 OF THE NW 1/4 SECTION 11 TOWNSHIP 83 NORTH RANGE 24 WEST |
| PROPRIETOR: | D & N VENTURES LLC |
| SURVEY REQUESTED BY: | WOODRUFF CONSTRUCTION, LLC |
| FIELD WORK COMPLETED: | 3/16/2017 |
| SURVEY PREPARED BY: | CLAPSADDLE-GARBER ASSOCIATES, INC. |
| RESPOND TO: | 16 EAST MAIN STREET, P.O. BOX 754, MARSHALLTOWN, IOWA 50158 PHONE 641-752-6701 TSTEWART@CGACONSULTANTS.COM |

STORM SEWER EASEMENT

A 10' WIDE STORM SEWER EASEMENT LOCATED IN PARCEL "BG" IN CAYLER'S SUBDIVISION, AMES, STORY COUNTY, IOWA, AND IN A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5th P.M., STORY COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF PARCEL "BG" IN SAID CAYLER'S SUBDIVISION; THENCE N89°52'44"W 24.76' ALONG THE NORTH LINE OF SAID PARCEL "BG" TO THE POINT OF BEGINNING; THENCE, S01°36'12"E 180.23' TO THE SOUTH LINE OF SAID PARCEL "BG"; THENCE S89°55'06"W 10.00' ALONG THE SOUTH LINE OF SAID PARCEL "BG"; THENCE, N01°36'12"W 180.27' TO THE NORTH LINE OF SAID PARCEL "BG"; THENCE S89°52'44"E 10.00' ALONG THE NORTH LINE OF SAID PARCEL "BG" TO THE POINT OF BEGINNING. EASEMENT CONTAINS 1,803 SQ.FT.

WATER MAIN EASEMENT

A WATER MAIN EASEMENT LOCATED IN PARCEL "BG" IN CAYLER'S SUBDIVISION, AMES, STORY COUNTY, IOWA, AND IN A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., STORY COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF PARCEL "BG" IN SAID CAYLER'S SUBDIVISION; THENCE N89°52'44"W 102.22' ALONG THE NORTH LINE OF SAID PARCEL "BG" TO THE POINT OF BEGINNING; THENCE, S0°34'19"E 90.00'; THENCE, S05°12'06"E 90.81' TO THE SOUTH LINE OF SAID PARCEL "BG"; THENCE S89°55'06"W 7.53' ALONG THE SOUTH LINE OF SAID PARCEL "BG"; THENCE N89°33'11"W 12.48' ALONG THE SOUTH LINE OF SAID PARCEL "BG"; THENCE, N0°34'19"W 180.38' TO THE NORTH LINE OF SAID PARCEL "BG"; THENCE S89°52'44"E 12.67' ALONG THE NORTH LINE OF SAID PARCEL "BG" TO THE POINT OF BEGINNING. EASEMENT CONTAINS 2,617.38 SQ.FT.

ELECTRIC EASEMENT

A 5' WIDE ELECTRIC EASEMENT LOCATED IN PARCEL "BG" IN CAYLER'S SUBDIVISION, AMES, STORY COUNTY, IOWA, AND IN A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., STORY COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF PARCEL "BG" IN SAID CAYLER'S SUBDIVISION; THENCE N0°34'29"W 5.00' ALONG THE WEST LINE OF SAID PARCEL "BG"; THENCE, S89°54'06"E 49.65'; THENCE, S89°33'11"E 68.47'; THENCE, S89°55'06"E 10.17'; THENCE, S0°04'54"E 5.00' TO THE SOUTH LINE OF SAID PARCEL "BG"; THENCE S89°55'06"W 10.20' ALONG THE SOUTH LINE OF SAID PARCEL "BG"; THENCE, N89°33'11"W 68.48' ALONG THE SOUTH LINE OF SAID PARCEL "BG"; THENCE N89°54'06"W 49.64' ALONG THE SOUTH LINE OF SAID PARCEL "BG" TO THE TO THE POINT OF BEGINNING. EASEMENT CONTAINS 641 SQ.FT.

THE AMES CITY COUNCIL APPROVED THIS PLAT OF SURVEY ON _____, 2017 WITH RESOLUTION NUMBER _____, I CERTIFY THAT IT CONFORMS TO ALL CONDITIONS OF APPROVAL _____

| | | |
|---|---|--|
| CELEBRATION'S PLAT OF SURVEY STORY COUNTY | |  Clapsaddle-Garber Associates, Inc 16 East Main Street Marshalltown, Iowa 50158 Ph 641-752-6701 www.cgiconsultants.com |
|  | I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Iowa. Travis R. Stewart, PLS _____ date Iowa License Number 17162 My License Renewal Date is December 31, 2017 Pages or sheets covered by this seal: THIS SHEET | |
| DRAWN RWA | SHEET NO. 2 | DATE 06-29-2017 |
| | | PROJECT NO. 5640.05 |

J:\5640\dwg\Survey\5640-Final\Plat.dwg - Plat of Survey (2) - 06-29-17 - 2:42pm - nwd286

COUNCIL ACTION FORM

SUBJECT: MINOR SUBDIVISION FINAL PLAT FOR LDY SUBDIVISION

BACKGROUND:

The proposed subdivision is located within the “GI” (General Industrial Zone) zoning district (see *Attachment A – Location & Zoning map*). LDY LLC, property owner, is requesting approval of a Minor Subdivision Final Plat for LDY Subdivision to divide the existing Lot 5 of the Landfill Addition Block 3 into three lots (see *Attachment B – Proposed Final Plat*). A minor subdivision includes three, or fewer, lots and does not require additional public improvements. A minor subdivision does not require a Preliminary Plat, and may be approved by the City Council as a Final Plat, only, subject to the applicant completing the necessary requirements. Following City Council approval, the Final Plat must then be recorded with the County Recorder to become an officially recognized subdivision plat.

The existing lot is approximately 10.96 acres with an existing vacant industrial building, which was constructed in 1968. The existing site contains paved drive aisle access from Dayton Avenue and paved parking to the east of the existing building with a gravel loading area located to the west of the building.

The applicant desires to subdivide this property into three lots for future industrial development at this location. The proposed subdivision creates Lot 1 (3.83 acres), Lot 2 (3.04 acres) and Lot 3 (3.87 acres). The proposed Lot 1 and 3 would be vacant lots with Lot 2 containing the current industrial building. (See *Attachment A – Location & Zoning Map*). Access to all of the lots will be from an existing driveway along Dayton Avenue, no access is permitted to Lincoln Way. The current industrial building located on the site will meet setbacks required in the General Industrial Zone upon creation of the proposed new lots. Each of the proposed lots meets the requirements of the “GI” for lot and development standards.

The proposed Lot 1 & Lot 2 have frontage on Lincoln Way and Lot 3 has frontage on Lincoln Way and Dayton Avenue, however access to Lincoln Way is restricted by the City per Ames Municipal Code Section 29.403(9)(b) which restricts new direct access to an arterial street where one does not already exist. Access for all lots will be provided via easement from Dayton Avenue. To provide access to the lots from Dayton Avenue, an access easement, 55 feet wide on Lot 3 and 45 feet wide on Lot 2, is proposed across the north edge of the lots providing access from Dayton Avenue across the north edges of Lot 3 and Lot 2 west to the east lot line of Lot 1.

A frontage road currently exists to the west of the proposed subdivision and terminates with an intersection to Lincoln Way approximately 175 feet from the subject site. **Given**

that access to the proposed lots is being provided from Dayton Avenue and that the frontage road does not abut the site, a frontage road extension is not proposed as part of the subdivision. The frontage road would need to be extended if there was an interest in having direct access to Lincoln Way. Requiring the extension of the frontage road would also require preparation of a preliminary plat and not a Minor Final Plat.

Public utilities will serve all three parcels and no additional extensions of water, sewer, or storm sewer are needed. A sidewalk is in place along the frontage for Lot 3, on Dayton Avenue. The frontage road along the south side of Lincoln Way functions as part of the City shared use path network. However, no sidewalk is present. A sidewalk is therefore required along Lincoln Way. The applicant has provided for a sidewalk deferral agreement and a letter of credit in the amount of \$27,700 to ensure the construction of the sidewalk along their Lincoln Way frontage.

ALTERNATIVES:

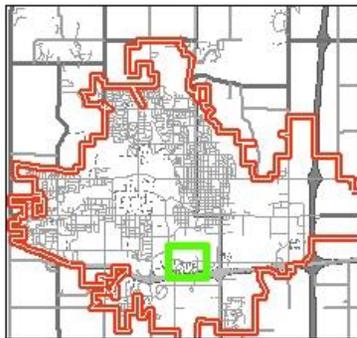
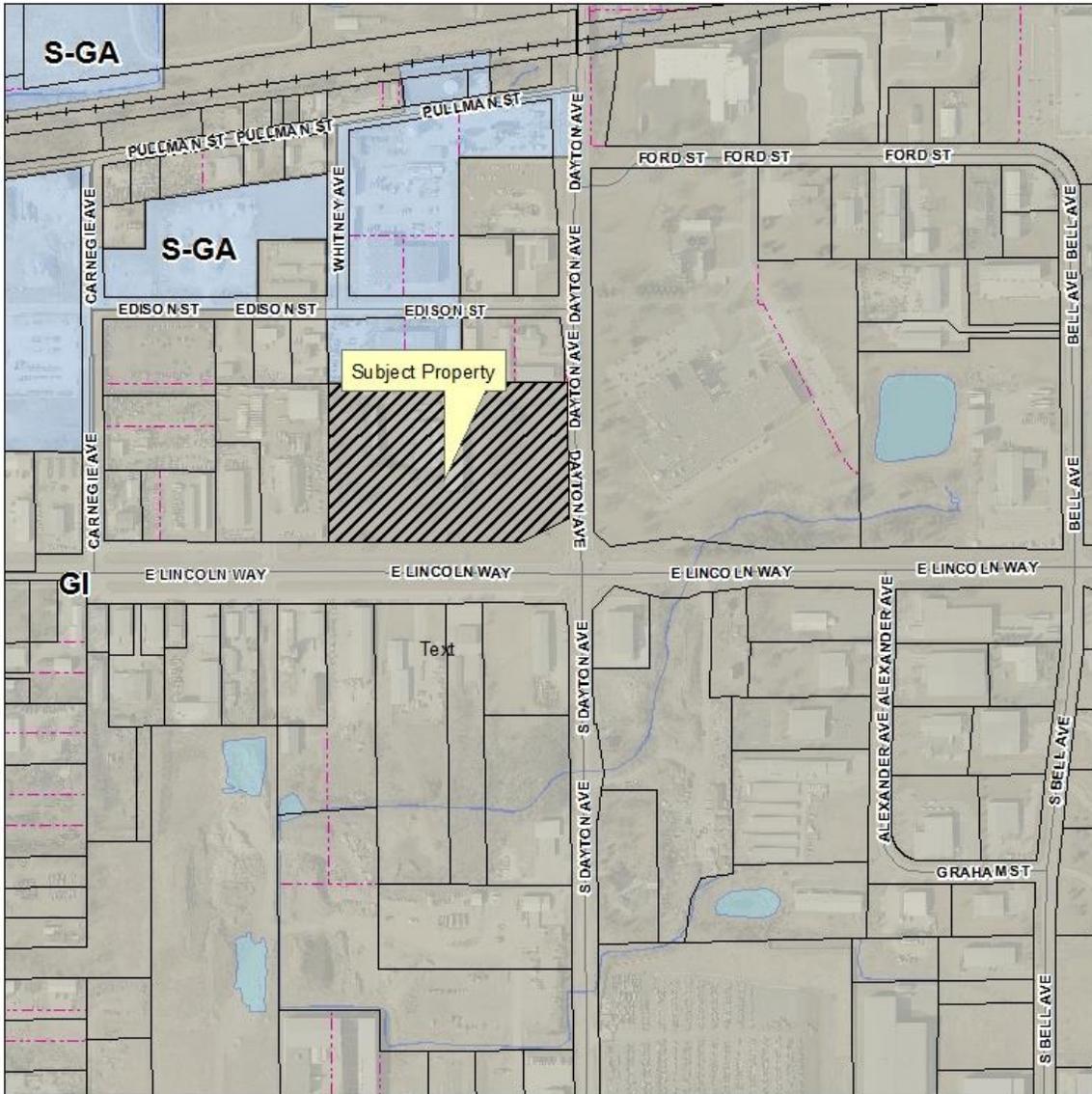
1. The City Council can approve the final plat for LDY Subdivision and accept the sidewalk deferral agreement, based upon the findings of consistency with the Subdivisions Ordinance.
2. The City Council can deny the final plat for LDY Subdivision if the City Council finds that the proposed subdivision does not comply with applicable ordinances, standards or plans.
3. The City Council can refer this request back to staff or the applicant for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

The proposed final plat for LDY Subdivision is consistent with the City's existing subdivision and zoning regulations. The continued use of the lots under the General Industrial zone regulations allows the proposed new lots to be developed for industrial use in the future should the owner desire. All utilities are in place to be able to serve the lots for future needs. The presence of the access easement to Dayton Avenue ensures the site meets access requirements upon recording of the final plat.

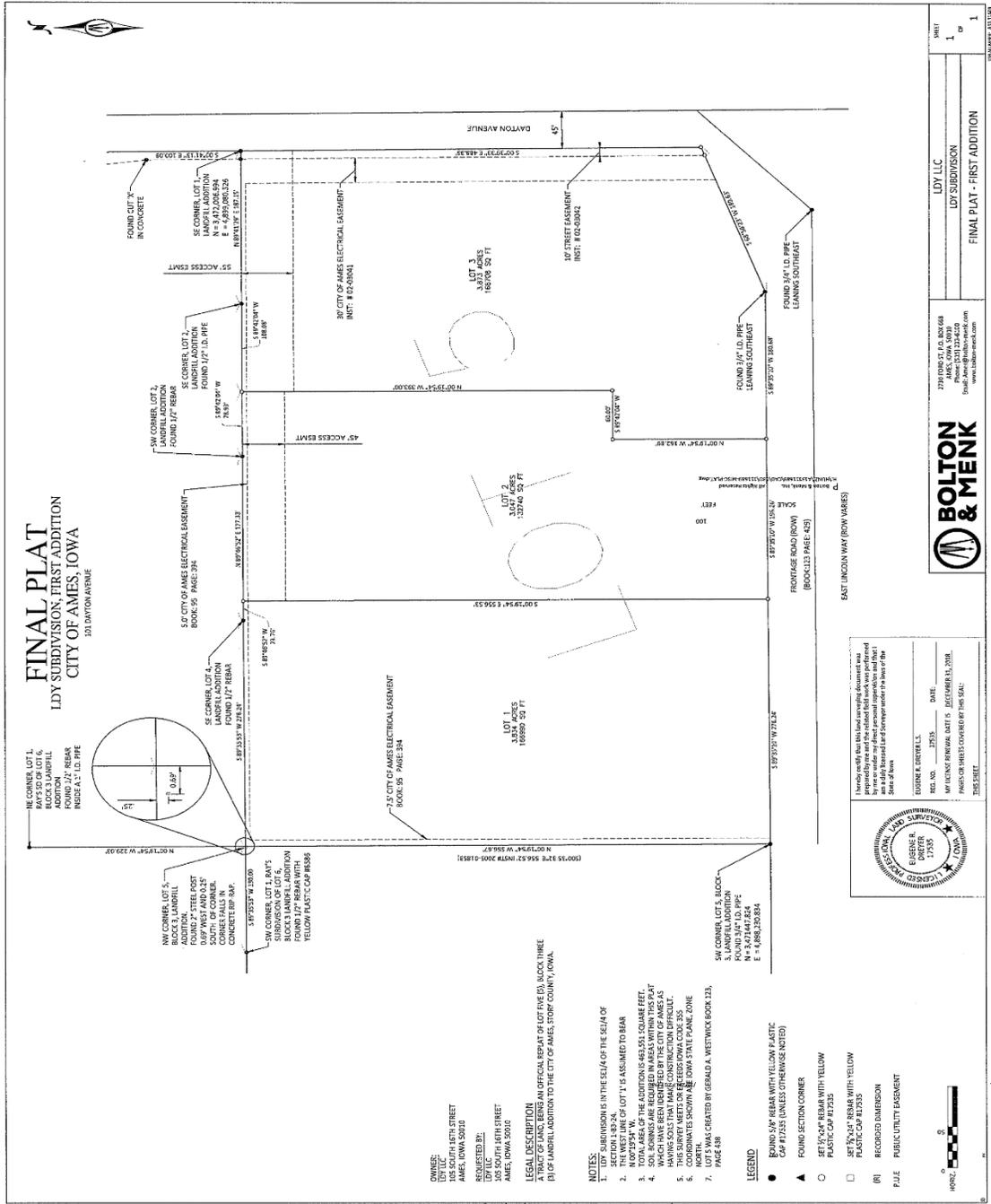
Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1 and its related conditions.

Attachment A- Location & Zoning Map



**Location & Zoning Map
LDY Subdivision**

Attachment B- LDY Subdivision Final Plat



FINAL PLAT
 LDY SUBDIVISION, FIRST ADDITION
 CITY OF AMES, IOWA
 101 DAYTON AVENUE

OWNER:
 LDY LLC
 2730 FORD STREET
 AMES, IOWA 50010
PREPARED BY:
 ENGINEER
 105 SOUTH 40TH STREET
 AMES, IOWA 50010

LEGAL DESCRIPTION
 A TRACT OF LAND BEING AN OFFICIAL REPAR OF LOT FIVE (5), BLOCK THREE (3) OF JARVILL ADDITION TO THE CITY OF AMES, STORF COUNTY, IOWA.

- NOTES:**
1. ALL SUBDIVISIONS IN THE SE1/4 OF THE SE1/4 OF SECTION 14-2-S-24, TOWNSHIP 36N, RANGE 12W, MEASUREMENT 100' X 100' IS ASSIGNED TO BEAR.
 2. THE TOTAL AREA OF THE ADDITION IS 48,551 SQUARE FEET.
 3. TOTAL AREA OF THE ADDITION IS 48,551 SQUARE FEET.
 4. THE TOTAL AREA OF THE ADDITION IS 48,551 SQUARE FEET.
 5. HAVING SOILS THAT MAKE CONSTRUCTION DIFFICULT.
 6. THE ADDITION IS SITUATED IN THE UNINCORPORATED ZONE NORTH.
 7. THIS PLAT WAS CREATED BY GERALD A. WESTWICK BOOK 123, PAGE 104.

- LEGEND**
- FOUND 5/4" REBAR WITH YELLOW PLASTIC CAP #1256 (UNLESS OTHERWISE NOTED)
 - ▲ FOUND SECTION CORNER
 - 5/4" CAP REBAR WITH YELLOW PLASTIC CAP #1256
 - 5/4" CAP REBAR WITH YELLOW PLASTIC CAP #1256
 - Ⓜ RECORDED DIMENSION
 - PAJZ PUBLIC UTILITY EASEMENT

I hereby certify that this final platting document was prepared by me and the platting fee was paid in full. I am a duly licensed land surveyor under the laws of the State of Iowa.

ENGINEER
 ERNEST E. DREYER
 REG. NO. 27335 DATE 12/15/15
 MY EXPIRES FEBRUARY 15, 2018 (AMERICAN SURVEYORS ASSOCIATION)

REGISTERED DIMENSION
 PAJZ PUBLIC UTILITY EASEMENT

BOLTON & MENK
 2730 FORD ST., P.O. BOX 684
 AMES, IOWA 50010
 Phone: 515.236.4200
 Fax: 515.236.4201
 Email: info@boltonandmenk.com
 Website: www.boltonandmenk.com

LDY LLC
 LDY SUBDIVISION
 FINAL PLAT - FIRST ADDITION

SHEET 1 OF 1
 DRAWING: 151110

Attachment C Applicable Laws

The laws applicable to this case file are as follows:

Code of Iowa, Chapter 354.8 states in part:

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

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

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

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

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

COUNCIL ACTION FORM

SUBJECT: MAJOR FINAL PLAT FOR CRANE FARM SUBDIVISION FOURTH ADDITION

BACKGROUND:

The City's subdivision regulations are included in Chapter 23 of the Ames Municipal Code. This "Subdivision Code" includes the process for creating or modifying property boundaries, and specifies whether any improvements are required in conjunction with the platting of property. The creation of new lots is classified as either a major or minor subdivision, with a major subdivision requiring a two-step platting process to finalize the creation of new lots. The "Preliminary Plat" is first approved by the City Council, and identifies the layout of the subdivision and any necessary or required public improvements. Once the applicant has completed the necessary requirements, including provision of required public improvements or provision of financial security for their completion, an application for a "Final Plat" may then be made for City Council approval. After City Council approval of the Final Plat, it must then be recorded with the County Recorder to become an officially recognized subdivision plat.

Pinnacle Properties LLC, representing the owners of 896 South 500th Avenue, is requesting approval of a major final plat for the Crane Farm Subdivision 4th Addition. The Crane Farm Subdivision lies north of Highway 30 on the east side of South 500th Avenue as shown on Attachment A – *Location Map*.

A preliminary plat for the Crane Farm Subdivision was approved with a development agreement in May of 2016. **The proposed 4th Addition does not trigger any specific provisions of the development agreement.** The approved preliminary plat calls for 50 single-family detached lots, four lots for single-family attached homes, three large lots for apartment development and three additional outlots for open space and storm water detention. A final plat for Crane Farm Subdivision 1st Addition located in the FS-RM zoned portion of the subdivision and which established Lot 1 along the south side of Mortensen Road, as well as adjacent Outlot A. A final plat for Crane Farm Subdivision 2nd Addition, was approved in 2016. A final plat for Crane Farm Subdivision 3rd Addition was approved earlier this spring. A Minor Site Development Plan for the creation of a bus turnaround at the west end of Mortensen Road and a Major Site Development Plan for a landscaped common area adjacent to the Mortensen Heights apartment complex along Mortensen Road were previously approved this spring as required by a development agreement approved in 2016.

The Final Plat for Crane Farm Subdivision 4th Addition includes Lots 1-18 for development of single-family detached homes and an outlot for future development located in the FS-RL zoned portion of the subdivision north of Mortensen Road. The lots

being created for single-family homes are located along both sides of the new street Rowling Drive. Outlot V in the proposed subdivision totals 5.529 acres. Outlot V will be for future development of single-family homes.

Public improvements, including streets, sidewalks, sanitary sewer, water, storm sewer system, street lights, trails, sub-drains and seeding for storm water detention basins are required as part of this major subdivision. New sewer and water connections are installed or available adjacent to the proposed lots. A public improvement agreement in the amount of \$213,234 has been submitted with a letter of credit. The developer has also signed a sidewalk and street tree deferral agreement for the installation of sidewalks. An approved fire apparatus turnaround location will be provided at the west end of this paving section of Rowling Drive just past lots 9 and 10 and will remain there until Rowling Drive is further extended to the west to ensure adequate fire apparatus maneuverability.

The Public Works Department has reviewed a submitted Storm Water Management Plan for this subdivision and has determined that the development will comply with all applicable stormwater requirements.

ALTERNATIVES:

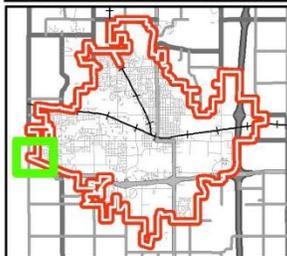
1. The City Council can approve the Final Plat of Crane Farm Subdivision Third Addition based upon the staff's findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, plans and previously approved Development Agreement.
2. The City Council can deny the Final Plat for Crane Farm Subdivision Third Addition, if it finds that the development creates a burden on existing public improvements or creates a need for new public improvements that have not yet been installed.
3. The City Council can refer this request back to staff or the applicant for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

City staff has evaluated the proposed final subdivision plat and determined that the proposal is consistent with the master plan and preliminary plat and that the plat conforms to the adopted ordinances and policies of the City as required by Chapter 23 of the Municipal Code. The proposed single family home lots and associated outlot reflect the approved preliminary plat and conform to the approved master plan under FS-RL zoning regulations.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the final plat for Crane Farm Subdivision 4th Addition.

Attachment A



Location Map
896 S. 500th Avenue

Applicable Laws and Policies Pertaining to Final Plat Approval

Adopted laws and policies applicable to this case file include, but are not limited to, the following:

Ames Municipal code Section 23.302

(10) City Council Action on Final Plat for Major Subdivision:

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

(b) Based upon such examination, the City Council shall ascertain whether the Final Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan and to the City's other duly adopted plans.

(c) The City Council may:

(i) deny any subdivision where the reasonably anticipated impact of such subdivision will create such a burden on existing public improvements or such a need for new public improvements that the area of the City affected by such impact will be unable to conform to level of service standards set forth in the Land Use Policy Plan or other capital project or growth management plan of the City until such time that the City upgrades such public improvements in accordance with schedules set forth in such plans; or,

(ii) approve any subdivision subject to the condition that the Applicant contribute to so much of such upgrade of public improvements as the need for such upgrade is directly and proportionately attributable to such impact as determined at the sole discretion of the City. The terms, conditions and amortization schedule for such contribution may be incorporated within an Improvement Agreement as set forth in Section 23.304 of the Regulations.

(d) Prior to granting approval of a major subdivision Final Plat, the City Council may permit the plat to be divided into two or more sections and may impose such conditions upon approval of each section as it deems necessary to assure orderly development of the subdivision.

(e) Following such examination, and within 60 days of the Applicant's filing of the complete Application for Final Plat Approval of a Major Subdivision with the Department of Planning and Housing, the City Council shall approve, approve subject to conditions, or disapprove the Application for Final Plat Approval of a Major Subdivision. The City Council shall set forth its reasons for disapproving any Application or for conditioning its approval of any Application in its official records and shall provide a written copy of such reasons to the developer. The City Council shall pass a resolution accepting the Final Plat for any Application that it approves.

(Ord. No. 3524, 5-25-99)



Public Works Department
515 Clark Avenue, Ames, Iowa 50010
Phone 515-239-5160 ♦ Fax 515-239-5404

25

July 5, 2017

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

Ladies and Gentlemen:

I hereby certify that the asphalt surface installation, required as a condition for approval of the final plat of **Scenic Valley, 1st Addition** has been completed in an acceptable manner by **Manatts Inc. of Ames, IA**. The above-mentioned improvements have been inspected by the Engineering Division of the Public Works Department of the City of Ames, Iowa and found to meet City specifications and standards.

As a result of this certification, it is recommended that the financial security for public improvements on file with the City for this subdivision be reduced to **\$14,200.00**. The remaining work covered by this financial security includes the installation of pedestrian ramps and walks, final adjustment of utility features, and erosion control.

Sincerely,

John C. Joiner, P.E.
Director

JJ/jc

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

Scenic Valley 1st Addition

January 12, 2016

Page 2

| Description | Unit | Quantity |
|---|------|----------|
| CLEARING AND GRUBBING | LS | 1 |
| EXCAVATION, CLASS 13 | CY | 93,000 |
| SUBGRADE PREPARATION, 12" | SY | 9,870 |
| SANITARY SEWER GRAVITY MAIN, TRENCHED, PVC, 8" | EA | 1737 |
| SANITARY SEWER, TRENCHED, PVC, 12" | EA | 1220 |
| SANITARY SEWER SERVICE STUB, 4-INCH, PVC | EA | 42 |
| STORM SEWER, TRENCHED, RCP CLASS III, 15-INCH | LF | 1879 |
| STORM SEWER, TRENCHED, GASKETED RCP CLASS III, 15-INCH | LF | 89 |
| STORM SEWER, TRENCHED, RCP CLASS III, 18-INCH | LF | 705 |
| STORM SEWER, TRENCHED, RCP CLASS III, 24-INCH | LF | 254 |
| STORM SEWER, TRENCHED, RCP CLASS III, 30-INCH | LF | 107 |
| STORM SEWER, TRENCHED, RCP CLASS III, 42-INCH | LF | 182 |
| PIPE APRON, RCP, 15", CLASS III | EA | 4 |
| PIPE APRON, RCP, 18", CLASS III | EA | 3 |
| PIPE APRON, RCP, 24", CLASS III | EA | 1 |
| PIPE APRON, RCP, 30", CLASS III | EA | 2 |
| PIPE APRON, RCP, 42", CLASS III | EA | 2 |
| SUBDRAIN, PERFORATED, 4-INCH | LF | 2550 |
| FOOTING DRAIN COLLECTOR, 6-INCH | LF | 552 |
| FOOTING DRAIN CLEANOUT, 6-INCH | EA | 3 |
| SUBDRAIN CLEANOUT, 4" | EA | 6 |
| FOOTING DRAIN OUTLET AND CONNECTION, 6-INCH | EA | 3 |
| STORM SEWER SERVICE STUB, 1.5 INCH, PVC | EA | 42 |
| WATER MAIN, TRENCHED, 8-INCH | LF | 3349 |
| WATER MAIN, TRENCHLESS, 8-INCH | LF | 128 |
| 8-INCH 11.25 DEGREE MJ BEND | EA | 5 |
| 8-INCH 22.5 DEGREE MJ BEND | EA | 1 |
| 8-INCH 45 DEGREE MJ BEND | EA | 10 |
| 8-INCH x 8-INCH MJ CROSS | EA | 1 |
| 8-INCH x 8-INCH MJ TEE | EA | 2 |
| WATER SERVICE STUB, CURB STOP & BOX, 1-INCH | EA | 42 |
| VALVE, MJ GATE, 8" | EA | 13 |
| FIRE HYDRANT ASSEMBLY (INCLUDES TEE, GATE VALVE, BOOT, 6" | EA | 7 |
| TEMPORARY BLOWOFF HYDRANT ASSEMBLY (INCLUDES 8"x6" MJ | EA | 5 |
| SANITARY MANHOLE, SW-301, 48" | EA | 14 |
| STORM MANHOLE, SW-301, 48" | EA | 6 |
| RISER INTAKE, 8-INCH | EA | 7 |
| INTAKE, SW-501 | EA | 8 |
| INTAKE, SW-502, 60" | EA | 2 |
| INTAKE, SW-502, 72" | EA | 1 |
| INTAKE, SW-503 | EA | 7 |
| INTAKE, SW-505 | EA | 4 |
| INTAKE, SW-506 | EA | 3 |
| INTAKE, SW-513 | EA | 1 |
| CURB & GUTTER, 30-INCH | LF | 5495 |
| PAVEMENT, HMA, 8-INCH | SY | 7118 |
| SIDEWALK, PCC, 6" | SY | 76 |
| DETECTABLE WARNING | SF | 136 |
| SEEDING, TYPE 1 LAWN MIX | ACRE | 40 |
| RIP RAP, CLASS D | TON | 500 |
| SILT FENCE, INSTALL, MAINTAIN & REMOVE | LF | 2000 |
| STABILIZED CONSTRUCTION ENTRANCE | EA | 1 |
| INLET PROTECTION DEVICE, INSTALL, MAINTAIN & REMOVE | EA | 25 |
| EROSION CONTROL MULCHING, CONVENTIONAL | ACRE | 40 |

Staff Report

321 STATE AVENUE RFP UPDATE

July 11, 2017

On February 28th the City Council initiated a Request for Proposals (RFP) for the development of the City's 10-acre site at 321 State Avenue. (See Location Map Attachment A.) The RFP included minimum development requirements, an outline of City assistance for the development, and required content of a proposal. Proposals were accepted from March 10 to April 18. The City received one formal proposal for the site from JCorp, Inc. represented by Duane Jensen. The City Council reviewed the initial proposal that included 48 homes at its June 13, 2017 meeting. [The original report can be found at this link.](#)

The initial proposal had an estimated financial gap between available City funding and the developer's requested funding of approximately \$400,000 (\$550,000 for infrastructure vs. \$950,000 requested). **City Council then directed staff to work with the developer on an alternative proposal that would have less infrastructure costs to help eliminate the financial gap between development costs and the available CDBG funding.**

JCorp has provided an alternative layout that reduces infrastructure costs by building fewer streets and reducing the total development size to between 37 and 43 housing units. The proposal has two options for phasing of development, potentially deferring additional infrastructure costs to a later phase for the larger version of the project. The attached conceptual layout illustrates the two phases of the project with the shaded area indicating Phase 2.

The revised project does not utilize alleys for access to the proposed standard home lots. The affordable lots are approximately 55 feet wide and an average of approximately 6,000 square feet compared to the original proposal of 45-foot wide alley loaded lots. The homes would take access from Tripp, State, and Wilmoth. The 2nd phase does include an option with eight lots having access off of the north alley, should that alley be improved. If the alley was not improved, then two standard lots would be finished along Tripp Street.

The developer's proposal for Phase 1 can be summarized as constructing a minimum of 35 housing units with 18 units for low and moderate income households and 17 homes as market rate homes. Additionally, Phase 2 would add either two additional affordable

homes with no additional infrastructure costs or eight additional affordable homes for the cost of improving Manning Avenue and the alley north of the site. The developer estimates that the 37 unit project can be completed with the originally budgeted \$535,000 of financial assistance for infrastructure. The developer estimates the 43 unit project would cost an additional \$300,000.

As a result of the phasing options, the developer requests an adjustment to the City Council request for 60% of the homes to be built as affordable housing. The percentage of homes designated for affordable housing would be 51.4% (18 of 35 homes) for Phase 1, and with the completion of Phase 2 the number of affordable housing units would be between 54% (20 of 37 homes) and 60.4% (26 of 43 homes).

The developer presents these two options with phasing to allow the City Council to either proceed with no additional funding for the project per their direction from June, or to potentially identify additional funds for improvements to the alley and Manning at a future date. Phase 1 could begin this fall and be developed over time until 2019. The developer would be willing to defer a decision on Phase 2 until 2019, if necessary.

The original 48 home proposal with 29 affordable home sites had a request for City assistance that totaled approximately \$2.1 million¹ at a rate of \$72,000 per home. The revised proposal with 20 affordable homes has a City assistance cost of \$1.5 million² for an average of \$75,000 per affordable home. With the 26 affordable homes option, the total cost would be \$1.9 million with an average of \$73,000 per affordable unit. The developer's new proposal does lower the absolute costs to the City, but does not change the per unit cost of City assistance. It should be noted that the assumption of homebuyer assistance is spread over multiple years and is not budgeted completely for the first year of development.

The developer has not provided a complete updated proposal with a revised pro forma to review all the development cost and profit assumptions. The general approach for the development is the same as the initial proposal where the developer would build all of the affordable housing units and provide a variety of floor plans with various sales prices. The developer assumes a profit of approximately \$5,000 per affordable home and \$10,000 per market rate lot for a total of approximately \$335,000. The developer may not be the final builder of the market rate homes.

¹Initial Proposal 29 affordable homes – Value of land \$550,000. Infrastructure estimated at \$950,000. 1st time homebuyer assistance assumed at \$580,000.

² New proposal 20 affordable homes – Value of land \$550,000. Infrastructure estimated at \$550,000. 1st time homebuyer assistance assumed at \$400,000. With 26 affordable homes, value of land at \$550,000 and infrastructure estimated at \$850,000, 1st time homebuyer assistance assumed at \$520,000.

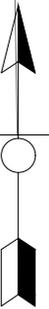
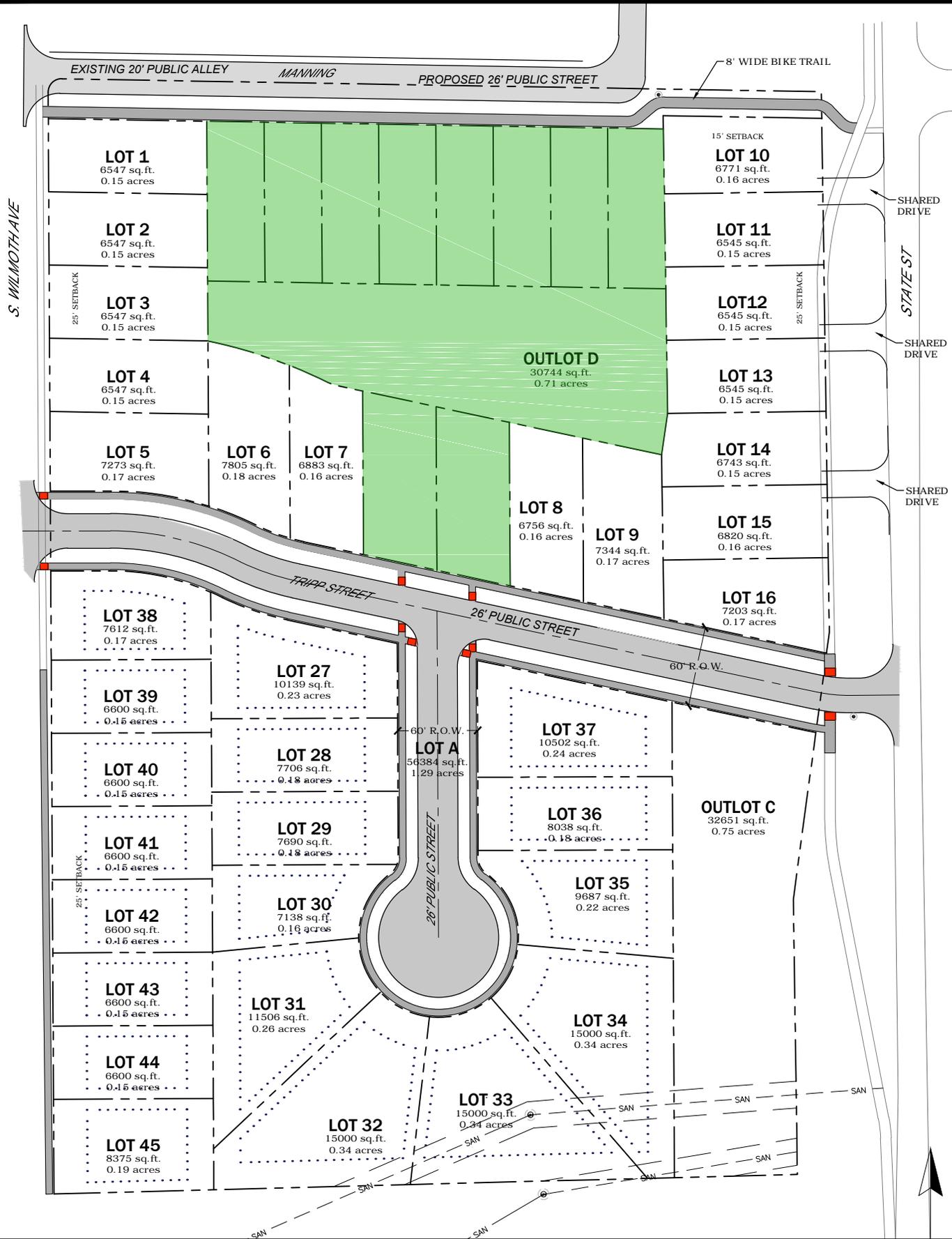
After conferring with staff, the developer has offered a revised, two-phase proposal that falls within the City's funding constraints for Phase 1, where a majority of the homes would be built. The City Council now has two possible options.

OPTION 1: Proceed with Revised Proposal

With this option, the City Council would direct staff to prepare a development agreement based upon a commitment to the 35 home Phase 1 layout. Council could also decide if there is an interest in considering additional funds for alleys improvements related to Phase 2. If there is no interest in additional funding, **the project would include 37 lots with no second phase**. In preparation of the development agreement, staff would review the pro forma for the project and finalize details on the home design and features.

OPTION 2: Reject Proposal

If the City Council is not satisfied that the proposal meets the interests of the City, it can reject the revised proposal. If Council rejects the proposal, it would then need to provide direction to staff on how to proceed with alternative development options for the site. The June 13th report provided Council with an outline of other options.



Staff Report

INCREASED PARKING ENFORCEMENT IN CAMPUSTOWN NEIGHBORHOODS

July 11, 2017

Background:

This report is in response to a May 16, 2017, City Council motion requesting a cost estimate for enhanced parking enforcement in the Campustown neighborhoods. In response to that request, the following information outlines the potential expenses for providing additional parking enforcement in the residential area south of the Iowa State University campus.

The area encompassed by this initiative is the residential neighborhoods from Beach to State and Lincoln Way to Storm. (See attached map.) This area encompasses approximately 30 blocks. Parking rules vary within this district, but many streets have a four hour limit and an alternate side requirement.

Cost projections are based on a goal of continuous patrol in the areas affected by four and six hour limits from approximately 8:00 a.m. to 6:00 p.m., and overnight alternate side enforcement after the changeover period. This will require approximately 84 additional Community Safety Officer (CSO) hours each week (10 hours x 7 days plus 2 hours x 7 days). This will require recruiting, training and supervising four to five additional CSOs.

Projected Budget Impact:

| | | |
|--------------------------|-----------------------------|-------------------------------|
| Staffing | \$7,542/month | \$90,505 annual |
| Vehicle Expenses | \$2,086/month | \$25,029 annual |
| Citations and Materials | <u>\$ 101/month</u> | <u>\$ 1,212 annual</u> |
| Total Estimated Expense: | \$9,729/month | \$116,746 annual |
| Estimated Revenue: | \$4,712/month | \$56,544 annual |
| Net Expense | <u>\$5,017/month</u> | <u>\$60,202 annual</u> |

Other Considerations:

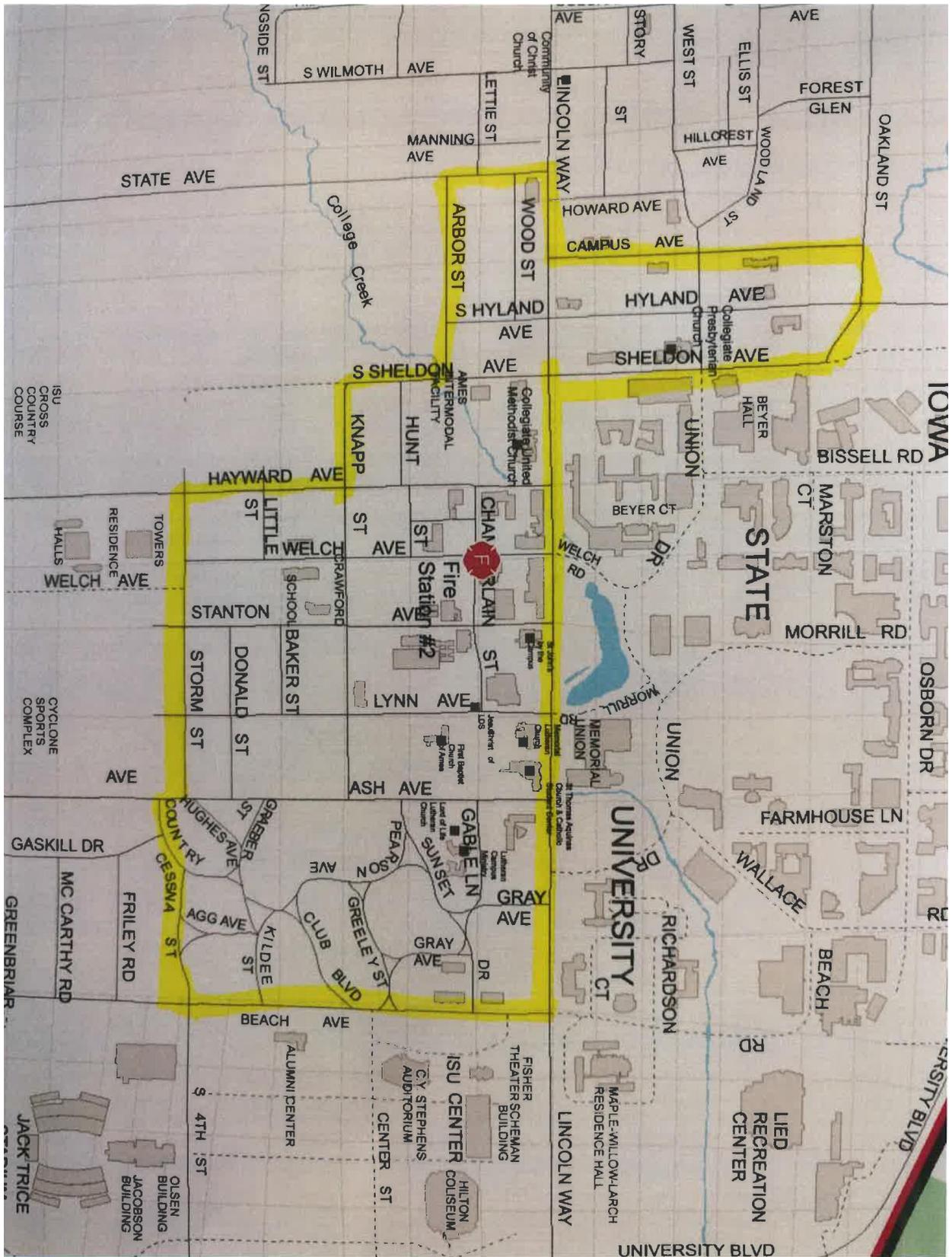
Since many residents of this area park on the street, it seems prudent to alert residents to a change in enforcement plans. To that end, a letter notifying residents and property owners of this change seems like a desirable element of enhanced enforcement. This change may also trigger concern from residents and commuters who have adapted to the current model of complaint-driven enforcement. It is likely that this level of enforcement will trigger feedback to the Police Department and City Council members. For that reason, it may also be helpful if the citations written during the first week are predominantly warnings.

Hiring and training new CSOs will take a minimum of eight weeks. The CSO recruitment pool is predominantly college students, and many of those potential employees will not be available until they return for the fall semester. While it may be possible to begin this effort in late August or early September, it could take several months before an enhanced enforcement effort is fully deployed.

Summary:

The net cost of increased enforcement in this area is estimated to be \$60,202 annually. Assuming a September 1, 2017 start date, the FY 2017/18 costs are projected to be \$50,168. This expense is not reflected in the adopted Parking Fund budget. Therefore, if Council chooses to proceed with this increased enforcement effort in this fiscal year, the funding will need to come from the unobligated portion of the Parking Fund balance. That balance is currently projected at \$380,000.

The City Council has directed that the next budget cycle include a review of fees and fines related to the Parking System. Should the Council proceed to adopt a program of increased enforcement at this time, the information presented during the budget cycle will allow Council to adjust the fees and fines in an attempt to recover these enforcement costs for FY 2018/19 and to further deter non-compliance.



COUNCIL ACTION FORM

**SUBJECT: ZONING TEXT AMENDMENT CREATING NEW PARKING LOT
SETBACK AND LANDSCAPING EXCEPTIONS**

BACKGROUND:

In June 2017 the City Council adopted new landscape standards for Section 29.403 of the Zoning Ordinance. In addition to the new landscape standards, other key sections of the Zoning Ordinance must be amended and updated to reflect the new standards and address any ancillary issues surrounding the implementation or enforcement of those new standards. The City Council elected to approve the new landscape standards with the direction that staff return to them within the next three months with amendments and updates to the administrative processes, appeals process criteria, and any miscellaneous remaining items that need to be addressed with adoption of the new standards.

Staff proposes creating two minor exceptions processes as they relate to the new landscape and parking lot standards. Exceptions are meant to be minor in nature and to not rise to the level of review required of variances. Exceptions are intended to be used only in instances where compliance with certain requirements would be impractical and Zoning Board of Adjustment (ZBA) approves the exception based upon consistency with the relevant criteria. The proposed exceptions do not apply to residential areas due to the mandatory screening requirements in residential areas as compared to minimum setbacks in commercial areas. Attachment A includes the proposed new language for the two proposed exceptions.

The first new exception is for commercial parking lot perimeter side and rear three-foot minimum setbacks. The new landscape standards require parking and loading areas to be set back three feet from side and rear setbacks. Previously, the City required a minimum of five feet for parking lots. The standards were reduced to provide greater dimensional latitude in meeting landscaping requirements for parking lots as part of the new landscaping ordinance. The proposed exception process would apply to sites that may need to place the back of curb or edge of paving of a parking lot at the property line on the sides or rear of the property to meet other site development standards.

The second proposed exception is intended to address situations within CSC or DSC zoning where a site may not be able to meet the 10% parking lot landscape area requirement for driveways that principally serve covered parking or loading areas. The new standards require all parking lots to provide 10% landscape area in or around the parking and loading areas. In circumstances where a driveway or loading area may lead only to structured parking and not to surface parking, it may not be practicable to incorporate landscaping to meet the base standards.

Given the level of Planning Director discretion and various options for developers in the new landscape standards it is believed that exceptions will likely not be frequently needed. However, there could be situations related to providing required parking or meeting landscaping standards that could justify an exception when meeting all other development standards. Staff believes the ZBA reviewed exception process is more appropriate versus Planning Director discretion due to the potential of affecting adjacent properties with little or no setback of parking areas. The exception process allows for public notice and review of such requests that may not always be appropriate or require consideration of multiple issues.

At the June 21st Planning & Zoning Commission meeting the Planning & Zoning Commission voted 6-0 to recommend approval to the City Council of the proposed exceptions text amendment.

ALTERNATIVES:

1. The City Council can approve on first reading an ordinance creating exceptions for parking lot minimum setbacks and landscape percentage.
2. The City Council can provide direction for alternative language on exceptions and return prior to the first reading of an ordinance.

CITY MANAGER'S RECOMMENDATION

The exceptions process is laid out in Section 29.1507 of the Zoning Ordinance. The proposed new language provides for a process whereby an applicant may seek an exception for side and rear commercial parking lot setbacks. Additionally, parking lot landscape area for driveways leading to covered parking may also be reduced. Staff believes giving these options to developers provides for an avenue to make a project workable in unique circumstances and gives the ZBA oversight of these requests, which can place vehicles in very close proximity to property lines. The exception process has a lower approval threshold compared to variances, but does include a public notice requirement with their review.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1 which is to adopt text amendments for two new exceptions.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 29.1506 (4), (5)(e)(i)(ii)(iii)(iv)(v) AND (f) THEREOF, FOR THE PURPOSE OF; 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 enacting a new Section 29.1506 (4), (5)(e)(i)(ii)(iii)(iv)(v) and (f) as follows:

“Sec. 29.1506. EXCEPTIONS.

...

(4) **When Authorized.** The Zoning Board of Adjustment is authorized to grant the following exceptions:

- (a) Parking stall exceptions pursuant to Sec. 29.406(9)(c).
- (b) DSC and CSC minimum height exceptions pursuant to Sec. 29.808(4) and 29.809(4).
(Ord. No. 3872, 03-07-06)

(c) Exceptions for minor area modifications. The Board is authorized to grant exceptions from the requirements of the zoning ordinance to allow minor area modifications for single family attached and detached dwellings that are existing in developed areas, but not in cases of new construction. These are authorized for the following situations:

- (i) reduction of required residential side yard setbacks for principal structures by no more than two feet;
- (ii) reduction of required residential front and rear yard setbacks for principal structures by no more than five feet;
- (iii) reduction of minimum lot area requirements by no more than 10%;
- (iv) reduction of required residential front, rear and side yard setbacks without limit as required to provide handicapped access ramps to a dwelling;
- (v) reduction of front, rear, and side yard setbacks without limit to allow reconstruction of a historically accurate structure.
- (d) Commercial Parking lot side and rear landscape setback requirement of 29.403.
- (e) Commercial Parking Lot area percentage requirement of 29.403.

(5) Review Criteria

...

(e) Commercial Parking lot side and rear landscape setback. All of the following criteria must be met for the Board to grant the exception and the overall site must comply with all development standards.

- (i) Adequate provisions for meeting required parking lot landscaped area and planting requirements have been made to account for the reduced parking lot setback.
- (ii) Providing the dimensional and location requirements of parking spaces necessary to serve the proposed use are not feasible while maintaining a setback for the parking lot.
- (iii) That the landscape standards in Section 29.403 allowing Planning Director alternative compliance and waiver authority are not appropriate to allow approval of a Site Development Plan.

(iv) That a reduction of side or rear parking lot setbacks will not impair or infringe upon the use of neighboring property or be detrimental to the public health, safety or general welfare.

(f) Commercial Parking lot and loading area landscape percentage. Within the CSC and DSC zoning district, parking lot driveways that principally serve covered parking and loading areas may have an exception approved to reduce landscaped area when there is inadequate space or site conditions to provide appropriate planters to meet landscaping requirements.”

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

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

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

COUNCIL ACTION FORM

SUBJECT: ZONING TEXT AMENDMENTS REVISING APPEALS OF ADMINISTRATIVE DECISIONS

BACKGROUND:

In June 2017, the City Council adopted new landscape standards for Section 29.403 of the Zoning Ordinance. In addition to the new landscape standards, other key sections of the Zoning Ordinance must be amended and updated to reflect the new standards and address any ancillary issues surrounding the implementation or enforcement of those new standards. The City Council elected to approve the new landscape standards with the direction that staff return to them within the next three months with amendments and updates to the administrative processes, appeals process criteria, and any miscellaneous remaining items that need to be addressed with adoption of the new standards.

Staff proposes amending the appeals process of appealing administrative determinations as a result of reviewing the new landscape ordinance provisions. (See Attachment A.) The current language is unclear on how to appeal Planning Director decisions, which are primarily Minor Site Development Plan reviews. Most administrative decisions are in reference to the Zoning Enforcement Officer, which is the Building Official who does not actually approve Site Development Plans but administers Building/Zoning Permits and enforcement actions. The proposed changes add a statement that decisions and Site Development Plans are appealable to the Zoning Board of Adjustment. This is intentional to require someone to pursue approval of a project before contesting how a standard is applied to project. There are no changes to the Minor Site Development Plan criteria or the other appeal options in relation to the Zoning Enforcement Officer.

Appeals of decisions regarding zoning related decisions by administrative officers are authorized by state statute. The City's ordinance follows the state law and identifies the Zoning Enforcement Officer as the authority for most zoning related determinations.

Administrative permits (e.g. Building/Zoning, Minor Site Development Plans) are rarely denied and lead to appeals. More commonly, appeals of orders for compliance, municipal infractions, or interpretations of standards are brought to the Zoning Board of Adjustment. For example, if staff determines a specific provision of the Zoning Ordinance applies to a project, a person may appeal that interpretation by the Zoning Enforcement Officer to the Zoning Board of Adjustment for their review and decision of the meaning of the standard. The proposed changes keep these current practices as part of the appeal process.

However, the new landscape standards include a number of provisions to promote flexibility through alternative means of compliance or to discretionally modify particular requirements in order to meet landscaping goals. A project can always move forward under the base landscape standards without discretionary compliance determinations on individual landscape provisions. An applicant can seek approval of a project consistent with the Minor Site Development Plan criteria by complying with the base standards and no discretionary determinations by the Planning Director. Current language in 29.1403(8)(a) does not use the term 'Planning Director' or reference minor site development plans when describing when an aggrieved party can appeal a decision. Staff believes that it is necessary to add this language to make clear this understanding from state statute and that it applies to decisions concerning Minor Site Development Plans.

Staff has also proposed changes to the appeal filing process to help clarify the method of appealing decisions. The changes modify the length of time for filing an appeal to 20 days from a written decision rather than 30 days and removes language about posting notice in a newspaper that is extraneous to the process.

Additionally, staff has removed extraneous language in the last two sentences of 29.1403(8)(b) addressing a stay of proceedings as the same language is used in 29.1403(8)(c).

At the June 21st Planning & Zoning Commission meeting, the Commission voted 6-0 to recommend approval to the City Council of the proposed new appeals and exceptions language.

ALTERNATIVES:

1. The City Council can approve new language governing appeals for minor site development plans.
2. The City Council can provide direction for alternative language and return prior to the first reading of an ordinance.

CITY MANAGER'S RECOMMENDED ACTION

After reviewing current appeals language found in Section 29.1403, staff believes further clarification should be made as to when an appeal can be made and how it is made with regard to Minor Site Development Plans in conjunction with corresponding new landscape regulations.

The proposed language preserves the current process for appealing errors in interpretations and application of standards by the Zoning Enforcement Officer, while specifying that the final decision by the Planning Director may also be appealed. The

new language does clarify that individual determinations as part of the landscape plan review are not appealable, only the final approval or denial of the plan.

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

Attachment A

Excerpt of the Zoning Board of Adjustment Procedures and Exceptions from the Zoning Ordinance

Proposed changes are shown in ~~strikeout~~ and underline

Sec. 29.1403. ZONING BOARD OF ADJUSTMENT.

(8) Appeals to the Board.

(a) General.

Appeals to the Board may be taken by any person aggrieved by any decision of the Zoning Enforcement Officer or by any officer, department, board, or bureau of the City affected by any decision of the Zoning Enforcement Officer. Matters that may be appealed to the Board include decisions by the Planning Director on Minor Site Plan Development Plan approval.

~~(b) Filing. Appeals to the Board of Adjustment may be taken by any person aggrieved, or by any officer, department or board of the City affected by any decision of the Zoning Enforcement Officer. A written notice of appeal must be filed with secretary to the Board within 20 days of a written decision, order, or requirement by an administrative official. The written notice of appeal must specify the grounds thereof for the appeal.~~

~~Such appeal shall be taken within 30 days of the decision of the Zoning Enforcement Officer by filing with the secretary of the Board a written notice of appeal specifying the grounds thereof and the publication of notice of appeal in a paper of general circulation in the City of Ames as provided by the regulation of the board. The secretary of the Board shall give notice of such appeal within 10 days of the filing of the appeal to the Zoning Enforcement Officer and the Planning and Housing Director, who shall forthwith transmit to the Board all papers and documents constituting the record upon which the action appealed from was taken. An appeal stays all proceedings in furtherance of the action appealed from, unless the Building Official certifies to the Board after the notice of the appeal shall have been filed with the Building Official, that by reason of facts stated in the appeal a stay would, in the Building Official's opinion, cause imminent peril to life or property. In such case, the proceedings shall not be stayed otherwise than by a restraining order which may be granted by a court of record on application of notice to the Building Official and due cause shown.~~

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 29.1403 (8)(a) AND (b) THEREOF, FOR THE PURPOSE OF NEW LANGUAGE GOVERNING APPEALS ; 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 enacting new 29.1403 (8)(a) and (b) as follows:

...

(8) Appeals to the Board.

(a) General. Appeals to the Board may be taken by any person aggrieved by any decision of the Zoning Enforcement Officer or by any officer, department, board, or bureau of the City affected by any decision of the Zoning Enforcement Officer. Matters that may be appealed to the Board include decisions by the Planning Director on Minor Site Plan Development Plan approval.

(b) Filing. A written notice of appeal must be filed with secretary to the Board within 20 days of a decision, order, or requirement by an administrative official. The written notice of appeal must specify the grounds thereof for the appeal. The secretary of the Board shall give notice of such appeal within 10 days of the filing of the appeal to the Zoning Enforcement Officer and the Planning and Housing Director, who shall forthwith transmit to the Board all papers and documents constituting the record upon which the action appealed from was taken.”

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

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

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

COUNCIL ACTION FORM

SUBJECT: PUBLIC HEARING ON SUBMITTAL OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM “REVISED” PROPOSED 2017-2018 ANNUAL ACTION PLAN

BACKGROUND:

The City must annually 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. The City’s third Consolidated Plan was approved by HUD for the period of July 1, 2014 through June 30, 2018. The Annual Action Plan can address one or all of the goals and priorities of the identified housing and community development needs.

On February 14, 2017, after taking into consideration input from the January public forums, the City Council approved the proposed 2017-18 Action Plan projects as outlined in the attached Executive Summary (see attachment A) and the proposed budget as outlined below with direction to staff to finalize the proposed Plan for public comment. The Plan was made available for public comment from April 5th through May 4, 2017. Staff received one citizen comment during the period (see attachment B).

Original Proposed Budget for 2017-18

| | |
|---|------------------|
| Homebuyer Assistance Program | \$200,000 |
| Single-family Housing Improvements Program | \$70,000 |
| Public Infrastructure Improvements Program for State Ave. | \$550,000 |
| Disposition of Properties | \$11,578 |
| Renter Affordability (Deposits, Rent & Transportation) Assistance Program | \$40,000 |
| Total Programming | <u>\$821,578</u> |
| 2017-18 Program Administration | <u>\$ 98,197</u> |
| Grand Total | \$919,775 |

Staff anticipated having City Council approve the Plan at its May 9th City Council meeting. However, it wasn’t until the end of May 2017 before Congress approved a spending bill that will allow the government to continue operating until September 30th. With the approval of this bill by Congress, HUD programs, particularly the CDBG Program will continue to operate.

Despite this good news, the late approval caused a delay in announcing the City's 2017-18 CDBG allocation amount. In accordance with the HUD program regulations, entitlement cities could not submit their action plans until the "exact" allocation amount has been awarded and once the amounts are awarded the plans must be submitted within 60 days of that date. In consulting with our HUD field staff, since the City of Ames was already in its public hearing stage of the process, we were advised to proceed with opening the hearing on May 9, 2017, but to continue the hearing to a date certain (June 13th) in order to be in a position to meet the 60 day submittal deadline. **At the June 13, 2017 City Council meeting, the City Council continued the public hearing date to the July 11th City Council meeting.**

On Wednesday, June 14, 2017, the City received notification that its 2017-18 CDBG allocation will be \$510,515. This amount is \$19,529 over our current 2016-17 allocation of \$490,986. Of this amount, \$408,412 is available for programming after accounting for 20% administration costs. To ensure that the public is aware of the funding amount and the proposed revisions to the 2017-18 CDBG Annual Action Plan, a 14-day comment period was published from June 21st through July 5th.

Staff is proposing the following budget and program revisions for distribution of the funding for the proposed Action Plan projects. Notably, staff added more funding to the homebuyer assistance program as a result of the discussions concerning the 321 State Avenue project at the June 13th City Council meeting.

Anticipated/Proposed 2017-18 CDBG Program Revenue Resources

| | |
|---|-------------------------|
| 17-18 CDBG Allocation | \$ 510,515 |
| 16-17 Anticipated Program Rollover | \$ 392,789 |
| 17-18 Anticipated Program Income | <u>\$ 41,000</u> |
| Total 2017-18 | \$944,304 |

| Recommended Project Funding Levels | Original Proposal | REVISED PROPOSAL |
|--|--------------------------|-------------------------|
| Homebuyer Assistance Program | \$150,000 | \$ 200,000 |
| Single-Family Housing Improvement Program | \$70,000 | \$50,000 |
| Disposition of Existing Properties | \$11,578 | \$12,201 |
| Public Infrastructure Improvement Program for 321 State Avenue | \$550,000 | \$550,000 |
| Renter Affordability (Deposit & Transportation Assist) | \$40,000 | \$30,000 |
| 2017-18 Program Administration | <u>\$98,197</u> | <u>\$ 102,103</u> |
| Total | \$919,775 | \$944,304 |

The entire Revised Proposed 2017-18 Annual Action Plan document is available on the City's web page at: www.cityofames.org/housing.

It is important to note that the annual action proposed plan and budget rely heavily on implementation of the development at 321 State Avenue. If the RFP proposal is not approved (that occurs earlier in this meeting), it will be challenging to meet HUD's timeliness test. It would then be important for Council to adopt an alternative spending approach as soon as possible.

ALTERNATIVES:

1. The City Council can approve the proposed 2017-2018 CDBG Annual Action Plan as revised in conjunction with the recently announced 2017-18 funding allocation amount.
2. The City Council can modify, and then approve, the 2017-2018 Annual Action Plan in conjunction with the recently announced 2017-18 funding allocation amount.
3. If the Council does not approve the revised development proposal for 321 State Avenue, Council should give staff direction to revise the action plan and budget and table this item until the July 25 Council agenda so staff can prepare a revised plan.

CITY MANAGER'S RECOMMENDED ACTION:

CDBG funds bring the City a unique opportunity to continue to use federal funding to address local housing and community development priorities. In order to qualify for receipt of these funds for the upcoming fiscal year, this document must be approved and submitted to HUD within the regulatory timeframe.

The City's required timeliness test by HUD will still occur on May 2, 2018, which means that approximately \$500,000 will need to be expended by April 25, 2018. Thereby, staff must concentrate its initial efforts on activities that can be accomplished within this timeframe.

The project activities being recommended are consistent with the public forum suggestions, the data sources identified above, and the goals and priorities adopted in the City's 2014-18 Consolidated Plan.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby approving submittal of the Revised Proposed 2017-18 Annual Action Plan Program and projects, and authorizing submittal of the plan to HUD by August 16, 2017.



**"REVISED" PROPOSED
CITY OF AMES**

**Community Development Block
Grant Program (CDBG)**

**2017-2018
ANNUAL ACTION PLAN**

July 2017

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Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The City of Ames Planning & Housing Department has prepared a Consolidated Housing and Community Development Plan for the years 2014 through 2018 that provides a strategic vision for the community. The Plan has been approved by HUD. The Executive Summary and other materials can be found on the U.S. Department of Housing and Urban Development web site at <http://www.hud.gov/>, and on the City of Ames web site at: <http://www.city.ames.org/housing>. Please contact the City of Ames, Planning & Housing Department at (515) 239-5400 for additional information.

The process for development of the Plan included identifying priority needs, establishing goals to address the needs, and then identifying projects to achieve the goals. Priority needs were determined through analysis of data and an extensive public involvement process.

The goals set forth in the 2014-18 Strategic Plan and in the various Annual Action Plans will be in keeping with the overall mission of HUD's Community Planning and Development (CPD) Programs: Community Development Block Grants (CDBG).

The City of Ames has a long standing history of having as one of its primary missions to identify, address, and implement solutions and programs that serve the needs of the elderly, disabled, homeless, extremely low-income, low-income, and moderate-income, households and families in its community. In identifying the needs, the City of Ames has continued to conduct and/or partner in commissioning reports and studies to collect data to assist in determining the needs and the actions that should be taken to address those needs.

Below you will find a Summary of the objectives and outcomes identified in the Plan and the activities that will be implemented in the 2016-17 program year to address these objectives and outcomes. (see Appendix 1 for the 2017-18 Proposed Action Plan Projects).

The rationale for determining the above priority objectives and outcomes are as follows:

- The proposed project activities are consistent with the 2014-18 Adopted Consolidated Plan goals and address the following two barriers that were outlined in the 2013 Impediments to Fair Housing Analysis Study 1) the "lack of available, decent rental units in affordable price ranges" and 2) the "cost of housing" for both renters and home buyers.
- The proposed project activities are consistent with the needs outlined in the Comprehensive Housing Affordability Strategy (CHAS) Data, American Community Survey (ACS) and Analysis to Impediments to Fair Housing Study (ASI) data for the City of Ames.
- The proposed implementation sequence for the project activities should help meet HUD's timely expenditure requirements.

- Funds will be used continue to contract for additional staff to accomplish the proposed project activities in FY 2017-18.
- All of the activities proposed would be of 100% benefit to low- and moderate-income persons.

Additionally, these objectives and outcomes will provide the most positive impacts on addressing the needs of homeless, extremely low-, low- and moderate-income households in the community and will be the area of focus anticipated for the Annual Action Plans over the next five (5) years in utilizing CDBG, and other local and/or state funds to address these objectives and outcomes. As the City of Ames approaches its fourth 5-year Consolidated Plan period, we have been very successful in implementing the program activities over the last ten years, which has led to having exceeded the 70% low- and moderate-income benefit expenditure threshold required by HUD.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

As part of the 2014-18 Consolidated Planning process, the City of Ames's strategies toward serving the needs of homeless, extremely low-income, low-income, and moderate-income families and households are to continue to seek public input; to continue to invest resources both physical and financial; and to continue to implement programs that will address the community's priority needs. With community participation, the following Priority Goal Objectives and Outcomes were derived:

1. Goal: Utilize and leverage CDBG Funds for Low and Moderate Income Persons through private and public partnerships as follows:

A1. Objective: To create, expand and maintain Affordable Housing for Homeless and Low-income persons.

Outcomes:

- i. Increase the supply of affordable rental housing
- ii. Improve the quality of affordable rental housing
- iii. Increase the availability of affordable owner-occupied housing
- iv. Maintain the supply of affordable owner-occupied housing
- v. Provide temporary rental assistance
- vi. Increase the supply of mixed-use development
- vii. Expand and maintain the supply of emergency shelter and transitional housing.

A2. Objective: To maintain the Community Development Services of the Community

Outcomes:

- i. Continue provision of the Public Service Needs for homeless, special populations, and low income households (utilities, rent, deposits, childcare, transportation, employment training, substance abuse, health services, legal services, other public service needs) and reduce duplication of services.

ii. Continue provision of Public Facilities Needs for homeless, special populations and low income households (senior centers, homeless facilities, child care centers, mental health facilities, neighborhood facilities, and other public facilities needs).

iii. Continue provision of Public Infrastructure Needs in low-income census tracts (water, street, sidewalk improvements).

2. Goal: Utilize and leverage CDBG Funds for NON Low and Moderate Income Persons through private and public partnerships as follows:

A1. Objective: Address Housing Needs in Non-Low and Moderate Income Census Tracts

Outcomes:

- i. Integrate affordable and market rate residential developments
- ii. Remove blight and deteriorated housing to reuse into new housing
- iii. Support and address code enforcement of deteriorated housing
- iv. Remove blight and deteriorated housing in flood plain and other hazardous areas.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The preparation of the 2014-18 Consolidated Plan and now the subsequent Annual Action Plans will represent the City's third 5-year period as an Entitlement Community. Based on reviews and monitoring by the HUD Area Field Office of the City's performance over the last thirteen years, the City has been very successful in not only meeting the regulatory and statutory requirement of the CBDG programs, but also more specifically the timely expenditures of funds within the required time period. Through the administration of the various housing, public service, public infrastructure, and public facility activities implemented, the City has achieved a 100% cumulative benefit to low- and moderate-income persons for each of the three 5-year periods, which exceeds the regulatory standard of 70%. Additionally, periodic monitoring reviews by HUD, the City had no major findings or concerns. This was noted to be extremely rare.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

The City of Ames has a *Citizen Participation Plan* that details the public involvement process. The Plan is available at www.cityofames.org/housing. Public participation is an annual on-going process, not only in preparation of the Consolidated or Action Plans but as an on-going part of the City of Ames's commitment to solicit community involvement and participation.

Prior to the required public hearing, the public is encouraged to participate in public forums each year to be educated about the program and to give input on the activities being proposed to address the

needs of the community. For the 2017-18 program year, like previous years, human service agencies, neighborhood associations, non-profit housing providers, Section 8 participants, faith-based organizations, and other community groups and businesses received direct mailings inviting them to attend these public forums. This is in addition to ads in the area free newspaper, press releases, Facebook postings, and Twitter announcements.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

The original 30-day public comment period began on Wednesday, April 5, 2017, and was due to end on Thursday, May 4, 2017. However, due to the Federal delay in the announcement of the 2017-18 CDBG Funding Allocations, the public hearing was extended to Tuesday, July 11, 2017. Additionally, HUD issued a waiver that reduce the public comment period from 30 to 14 days (24 CFR 91.105(b)(4) and 24 CFR 91.115(b)(4), therefore, a new comment will begin on Tuesday, June 20 and end on Wednesday, July 5, 2017.

6. Summary of comments or views not accepted and the reasons for not accepting them

To be completed after the public hearing.

7. Summary

For the program years 2017-2019, the City of Ames will focus a majority of its CDBG resources into its first newly designated Neighborhood Revitalization Strategy Area (NRSA) in West Ames. The NRSA designation will allow for the focusing of various eligible CDBG activities to occur such as has housing development, public services, public improvements, housing rehabilitation, economic development, etc. activities. Additionally, a portion of the funds will still be committed and administered on a city-wide approach. The majority of the determined benefit will be based on individual income eligibility, low- and moderate-income limited clientele benefit, and low- and moderate-area benefit, (based on census tracts containing concentrations of 51% or more low- to moderate-income persons, as established by HUD).

Below is a summary of the major areas addressed in the Strategic Plan for the City of Ames based on the data from the 2006-2012 American Community Survey (ACS) data, the Comprehensive Housing Affordability Strategy (CHAS) data supplied by HUD, intensive public input, 2013 Impediments to Fair Housing Analysis Study, area human service agencies, ASSET, City Departments, the State of Iowa, and other market analyses and influences.

Geographic Priorities

For the remainder of the last two years (2017-2019) of the 2014-18 Five Year Consolidated Plan, the goal will be to focus a majority of the programming specifically in the West Ames Neighborhood Revitalization Strategy Area (NRSA). There will also some programming available city-wide as well.

Priority Needs

The City of Ames has identified affordable housing, community development, and public services as priority needs to address over the next five years. High priorities for fiscal year 2017-18 CDBG allocation will be to development of affordable housing for homeowners and/or renters, the maintenance of affordable housing for homeowners and affordability programs for renters.

Influence of Market Conditions

The high cost and lack of available housing units and land continues to be the biggest influence of market conditions for the city of Ames.

Anticipated Resources

The City of Ames anticipates the following financial resources for Fiscal Year 2017-18:

| | |
|------------------------------------|-----------------|
| 17-18 CDBG Allocation | \$510,515 |
| 16-17 Anticipated Program Rollover | \$392,789 |
| 16-17 Anticipated Program Income | <u>\$41,000</u> |
| Total 2017-18 | \$944,304 |
| 2017-2019 CDBG Allocations | \$1,021,030* |

*Anticipate receiving an average of \$510,515 over the remaining two (2) years of the Consolidated Plan period.

Goal Descriptions

| | | |
|---|-------------------------|---|
| 1 | Goal Name | Create & expand Affordable Housing for LMI Persons |
| | Goal Description | Outlined below are the five-year goals (2014-2018) to address the needs of the community to create and maintain affordable housing opportunities for low and moderate income households. |
| 2 | Goal Name | Maintain Development Services in the Community |
| | Goal Description | Outlined below are the five year goals (2014-2018) to address the public service and public facilities needs of the community. Funding is based annually. These numbers are estimates that are based on actual amount of funding that becomes available. |
| 3 | Goal Name | Address Needs of Non-LMI Persons |
| | Goal Description | No specific household goals are were established to address the needs of Non LMI Persons during the 2014-18, 5 year Consolidated Plan period in the community utilizing CDBG funds. However, given that the City was granted a Neighborhood Revitalization Strategy Area (NRSA) designation for the redevelopment of a 10 acre parcel of land (acquired in 2015-16) into a mixed use residential subdivision, this project will address needs of possibly 24 non LMI households within this designated area. |

Table 7 – Goal Descriptions

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b):

We estimate that approximately 70 extremely low-income, low-income and moderate-income families could benefit from all of the programs that will be implemented for the 2017-18 program year.

Projects

AP-38 Projects Summary

Project Summary Information

Table 9 – Project Summary

| | | |
|----------|--|--|
| 1 | Project Name | Renter Affordability Program/DFMR |
| | Target Area | CITY-WIDE |
| | Goals Supported | Create & expand Affordable Housing for LMI Persons Maintain Development Services in the Community |
| | Needs Addressed | Renter Affordability Programs |
| | Funding | CDBG: \$27,000 |
| | Description | Funds under this project will be used to provide Deposit and/or First month rent assistance to households with annual incomes at 60% or less of the Ames MSA area median income limits, this program is being proposed to continue for 2017-18. |
| | Target Date | July 2017-June 2018 |
| | Estimate the number and type of families that will benefit from the proposed activities | 40 |
| | Location Description | |
| | Planned Activities | The activities under this program is provide one time funding to households and/or families with incomes at or below 60% of the Story County Median income limits with to assist them with Security Deposits and/or First Month's rent. The assistance may be expanded to include up to three months of rent assistance. |

| | | |
|---|--|---|
| 2 | Project Name | Renter Affordability Program/Transportation |
| | Target Area | CITY-WIDE |
| | Goals Supported | Create & expand Affordable Housing for LMI Persons Maintain Development Services in the Community |
| | Needs Addressed | Renter Affordability Programs |
| | Funding | CDBG: \$3,000 |
| | Description | Under this activity funds will be used to assist approximately households at 60% or less of the Ames MSA income limits with their interim transportation needs (fuel vouchers, or bus passes). This program is being proposed to continue in 2017-18. |
| | Target Date | July 2017-June 2018 |
| | Estimate the number and type of families that will benefit from the proposed activities | 20 |
| | Location Description | City-wide |
| | Planned Activities | The activities under this program is to provide financial assistance to households and/or families with incomes at or below 60% of the Ames MSA income limits with assistance with their transportation needs through either fuel vouchers or bus passes. |

| | | |
|----------|--|---|
| 3 | Project Name | Single-Family Housing Improvement Program |
| | Target Area | CITY-WIDE |
| | Goals Supported | Create & expand Affordable Housing for LMI Persons |
| | Needs Addressed | Housing Improvement Rehabilitation Programs |
| | Funding | CDBG: \$50,000 |
| | Description | The Housing Improvement Program objective will be to provide financial assistance to qualified low- and moderate-income single-family homeowners at or below 80% of the area median income limits to improve the physical condition of their single family homes in residentially zoned areas. The overall goal of the Housing Improvement Program is to allow qualified low- and moderate-income households to reside in decent, safe, and sanitary housing that will enhance neighborhood sustainability. |
| | Target Date | July 2017-June 2018 |
| | Estimate the number and type of families that will benefit from the proposed activities | 10 |
| | Location Description | |
| | Planned Activities | See project description above |

| | | |
|----------|--|--|
| 4 | Project Name | Homebuyer Assistance |
| | Target Area | State Avenue NRSA |
| | Goals Supported | Create & expand Affordable Housing for LMI Persons |
| | Needs Addressed | Homebuyer Assistance for First-time Homebuyers |
| | Funding | CDBG: \$200,000 |
| | Description | The objective under this program is to provide financial assistance to qualified low- and moderate-income first-time homebuyers, with incomes at or below 80% of the AMI limits, to purchase newly constructed single-family housing in the West Ames Neighborhood Revitalization Area for 321 State Avenue. The overall goal of the Homebuyer Assistance Program is to allow low- and moderate-income households to gain access to housing and/or improve their housing status. |
| | Target Date | July 2017-June 2019 |
| | Estimate the number and type of families that will benefit from the proposed activities | 6 |
| | Location Description | |
| | Planned Activities | see above |

| | | |
|---|--|---|
| 5 | Project Name | Public Infrastructure Improvements Program |
| | Target Area | West Ames NRSA-State Avenue |
| | Goals Supported | Create & expand Affordable Housing for LMI Persons |
| | Needs Addressed | Acquisition Reuse For Affordable Housing |
| | Funding | CDBG: \$550,000 |
| | Description | Under this activity funding for the installation of public infrastructure improvements (streets, utilities, curbs, sidewalks, etc.) to redevelop a new mixed used residential subdivision of both low and moderate and market rate housing units. |
| | Target Date | July 2017-December 2017 |
| | Estimate the number and type of families that will benefit from the proposed activities | Potentially 36 affordable homes and 24 market-rate homes |
| | Location Description | |
| | Planned Activities | see description above |

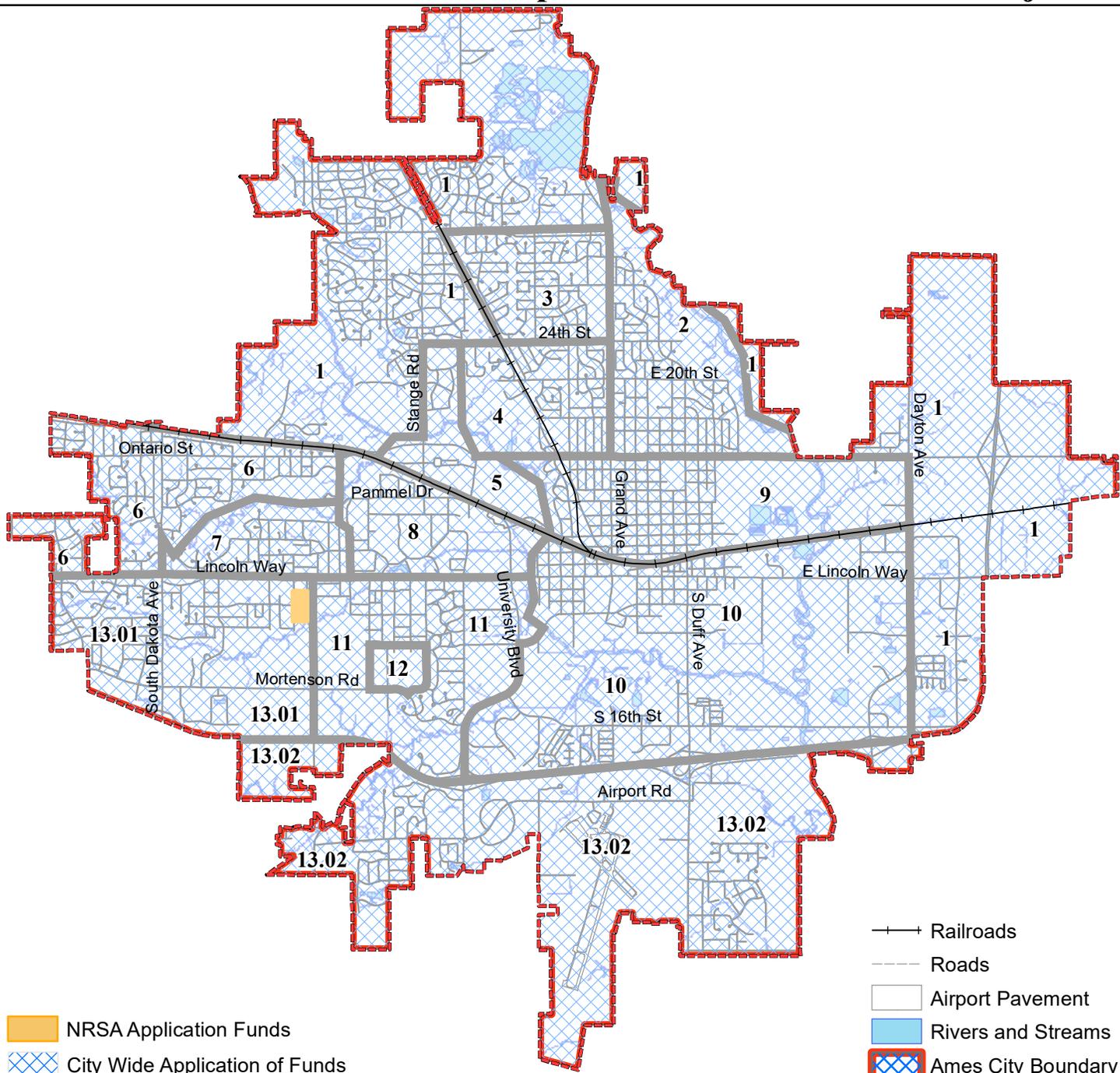
| | | |
|---|--|--|
| 6 | Project Name | Property Disposition Activity |
| | Target Area | City-wide |
| | Goals Supported | All goals |
| | Needs Addressed | All needs |
| | Funding | CDBG: \$12,201 |
| | Description | Under the activity the maintaining properties purchase with CDBG that have yet to be sold or developed will occur. |
| | Target Date | July 2017-June 2018 |
| | Estimate the number and type of families that will benefit from the proposed activities | n/a |
| | Location Description | City-wide |
| | Planned Activities | Overall property maintenance expenses |
| | | |

| | | |
|---|--|--|
| 7 | Project Name | General Administration |
| | Target Area | City-wide |
| | Goals Supported | All goals |
| | Needs Addressed | All needs |
| | Funding | CDBG: \$102,103 |
| | Description | Under the activity the overall administration of the CDBG program will occur and be expended (i.e. salaries, contractual, commodities, etc.) |
| | Target Date | July 2017-June 2018 |
| | Estimate the number and type of families that will benefit from the proposed activities | See individual program activities |
| | Location Description | n/a |
| | Planned Activities | Overall day to day program administrative activities and expenses |

APPENDIX I

City of Ames

2017-18 CDBG Proposed/Revised Action Plan Projects



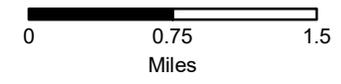
- NRSA Application Funds
- City Wide Application of Funds

- Railroads
- Roads
- Airport Pavement
- Rivers and Streams
- Ames City Boundary
- Census Tracts
- City of Ames, Iowa

| | |
|---|-------------------|
| Homebuyer Assistance Program | \$ 200,000 |
| Single-Family Housing Improvements Program | \$ 50,000 |
| Disposition of Properties | \$ 12,201 |
| Infrastructure Improvements Program - 321 State Ave | \$ 550,000 |
| Renter Affordability (Deposit & Transportation) | \$ 30,000 |
| 2017-18 Program Administration | \$ 102,103 |
| Grand Total for All Program | \$ 944,304 |



Map Prepared: April 3, 2017
City of Ames
Planning & Housing Department



ATTACHMENT B

Public Comments Received during comment period:

From: "Birru, Girma A [AGRON]" <gbirru@iastate.edu>
To: "vbakerlatimer@city.ames.ia.us" <vbakerlatimer@city.ames.ia.us>
Date: 05/02/2017 10:15 AM
Subject: CBDG Comments

Dear Vanessa and Staff,

Thank you for allowing us to give our feedback on the action plan. I have read the plan and found it compressive. The selected site for construction is excellent. I hope the aauthorize approve the budget considering the urgency of the project. I blive it should be a priority to them.

I have two comments on CDBG:

1. li would be great if you consider the diversity of the community of the future owners under the new CDBG.
2. We would also appreciate if you give priorities to families with kids and elders.
As I said I am very interested in newly planned housing development project and willing to contribute in my part to help succeed the project.

Regards,
Girma

COUNCIL ACTION FORM

SUBJECT: BARILLA URBAN RENEWAL AREA AND TAX INCREMENT DISTRICT

BACKGROUND:

At the City Council meeting on February 28, 2017, staff was directed to initiate the creation of an urban renewal plan to provide an economic development incentive in the form of a rebate of incremental property taxes for expansion of the Barilla manufacturing plant at 3303 and 3311 East Lincoln Way. Barilla proposes an expansion to add two additional production lines, improved rail facilities, and new silos. The estimated cost of improvements is \$64,000,000, of which \$16,320,000 will be in the form of increased taxable valuation.

The City Council directed staff to prepare a development agreement providing for a rebate of incremental property taxes for a period of 10 years or \$3,000,000, whichever occurs first. The property tax rebate will be provided as an incentive for the Barilla expansion project and requires that the company create 41 new jobs within three years after completing the project and agreeing to a minimum assessment of \$16,320,000 of incremental new taxable property valuation to receive the City's incentive. **In order to provide a rebate of property taxes, an economic development Urban Renewal Area must be created along with Tax Increment Financing (TIF) district. The proposed Urban Renewal Area and tax increment district comprises 140 acres of land zoned Planned Industrial (PI) owned by Barilla America, Inc.**

URBAN RENEWAL AREA AND TIF DISTRICT:

Code of Iowa Chapter 403 allows cities to establish tax increment financing districts through the creation of an urban renewal area. The creation of an urban renewal area requires the adoption of an urban renewal plan. A copy of the plan is included.

Because the proposed urban renewal plan includes tax increment financing as a component, the City Council invited the affected taxing entities (Ames Community School District and the Story County Board of Supervisors) to a consultation on June 22. No one from those entities attended or provided comments.

The Planning and Zoning Commission met on June 21 and made a determination that the proposed urban renewal plan is consistent with the Land Use Policy Plan.

Following the public hearing on July 11, the Council can approve resolutions adopting the urban renewal plan and establishing the urban renewal area. City Council can then proceed with the first reading of an ordinance establishing the Barilla Urban Renewal Area Tax Increment District.

Council should be aware that the establishment of the urban renewal area and TIF district does not provide for rebate of incremental taxes. The rebate of taxes will be made per terms of a development agreement that will be negotiated with Barilla, and will require separate Council approval each year that Barilla meets the terms of the agreement.

URBAN RENEWAL PLAN:

Included with the City Council packet is the urban renewal plan. This plan includes the necessary components described by the Code of Iowa. It describes the project and its objectives and includes a summary of the process of its preparation and adoption. The plan identifies those components of the Land Use Policy Plan that are supported by the proposed urban renewal area.

The plan also contains a summary of the City's current debt obligations and the City's limits on issuing debt.

DEVELOPMENT AGREEMENT OBJECTIVES:

The draft development agreement with Barilla is still being prepared. The development agreement will provide terms which Barilla must meet to receive a rebate of incremental taxes. This includes completion of the expansion project, entering into a minimum assessment agreement, and meeting the specified employment target. **Once the agreement is agreed to by Barilla, it will be placed on a City Council agenda.**

ALTERNATIVES:

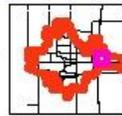
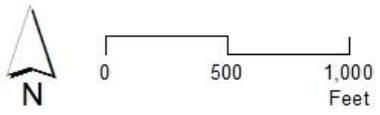
1. The City Council can adopt the urban renewal plan and create the urban renewal area by resolution and adopt an ordinance establishing a tax increment financing district.
2. The City Council can choose not to initiate the urban renewal plan for Barilla.

CITY MANAGER'S RECOMMENDED ACTION:

Following the direction of the City Council at its February 28th meeting, staff has prepared an urban renewal plan that follows the requirements in the Code of Iowa and is needed to allow the city to offer a rebate of incremental property taxes as an incentive for the Barilla expansion.

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

LOCATION MAP



Barilla Urban Renewal Plan



Prepared by the
Dept. of Planning and Housing
and
Presented to the Ames City Council
For the Public Hearing
On July 11, 2017

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Urban Renewal Plan

This Urban Renewal Plan for Barilla Urban Renewal Area (the Plan) was prepared at the direction of the Ames City Council and in conformance with the Code of Iowa Chapter 403 Urban Renewal. This Plan comprises the necessary components as described in Chapter 403.17(24). In addition, it describes and documents the procedures followed in bringing the Plan forward, in approving the Plan, and in allowing the division of revenues from taxation (tax increment financing).

This Plan designates the proposed urban renewal area as an economic development area as defined in Chapter 403.17(10).

Plan Preparation and Adoption

PREPARATION AND COMMISSION ACTION

The City of Ames Department of Planning and Housing (the Department) prepared this draft Plan and presented it to the Ames City Council on June 13, 2017. The City Council directed the Department to submit the Plan to the Planning and Zoning Commission (the Commission) for their review and to provide a recommendation as to its conformity with the general plan of the City—the Ames Land Use Policy Plan.

The Commission met on June 21, 2017 and heard a summary of the report and a recommendation from the Department. The Commission then formulated their recommendation for the City Council. The recommendation of the Commission is found in the appendix and is that the Barilla Urban Renewal Plan is consistent with the Ames Land Use Policy Plan.

NOTIFICATION AND CONSULTATIONS

During the preparation of this Plan, the City met the notification and consultation requirements of Code of Iowa Chapter 403.5. Notice was provided to the affected taxing entities as required when the urban renewal area includes an allowance for the division of revenues from taxation (tax increment financing). Notice was provided to the Story County Board of Supervisors, and the Ames Community School District. The notice of a consultation and a copy of the Plan was sent by regular mail to the taxing entities on June 14 for a consultation that was held on June 22. The taxing entities, their addresses and their designated representatives are listed in the appendix.

The taxing entities were notified that they have seven days following the consultation to provide any recommendations for modifications of the Plan.

CITY COUNCIL ACTION

The Ames City Council held a public hearing on July 11, 2017 to consider the adoption of the Plan, the resolution to establish the urban renewal area and the ordinance to allow for tax increment financing. Notification for the public hearing was as prescribed by Code of Iowa Chapter 403.5(3). Public notice was published

in the Ames Tribune on June 30, a copy of which is included in the appendix. In addition, a copy of the notice was sent by regular mail to the affected taxing entities.

At the public hearing, the City Manager presented a summary of the report and a recommendation to the City Council. The City Council was also presented with the written recommendation of the Planning and Zoning Commission.

Property Description

The proposed urban renewal area comprises two parcels. The legal descriptions are:

3311 East Lincoln Way (10-06-400-010)

Parcel "B" being a part of the Southeast Quarter (SE $\frac{1}{4}$) and East Half (E $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$), Section Six (6), Township Eighty-three (83) North, Range Twenty-three (23) West of the 5th P.M., City of Ames, Story County, Iowa as described in a Plat of Survey filed in the office of the Recorder of Story County, Iowa, on July 22, 1997, in Certificate & Field Notes Book 15, Page 18.

and

3303 East Lincoln Way (10-06-450-020)

Beginning at a point on the South Line of the Southeast Quarter (SE $\frac{1}{4}$) of Section Six (6), Township Eighty-three (83) North, Range Twenty-three (23) West of the 5th P.M., Story County, Iowa, Four Hundred Seventy-seven (477) Feet East of the South Quarter (S $\frac{1}{4}$) Corner of said Section Six (6); thence North 2° 03' East Four Hundred Fifty Five (455) Feet; thence East Three Hundred Sixty-eight (368) Feet; thence South 2° 03' West Four Hundred Fifty-five (455) Feet; thence West along the Section line Three Hundred Sixty-eight (368) Feet to the Point of Beginning, now in the City of Ames, Iowa, subject to easements to the State of Iowa recorded in Book 98, Page 123 and Book 88, Page 295.

Urban Renewal Project Description

This urban renewal area is being created to facilitate the expansion of the Barilla manufacturing facility at 3303 and 3311 East Lincoln Way. Barilla is proposing an expansion of 71,000 square feet to house two additional processing lines, a rail yard expansion allowing the unloading of 100-car trains in 35 hours, and six additional silos capable of 10,000 metric tons of grain storage. The total investment is estimated at \$64 million with the taxable value estimated at \$16,320,000.

The project does not anticipate any changes to the zoning designation, any acquisition of property by the City of Ames, or any improvements to public infrastructure to be borne by the City of Ames.

Urban Renewal Plan Objectives

The City is offering a rebate of incremental property taxes for a period of 10 years or \$3 million, whichever comes first, for the creation of 41 new jobs within 3 years and a minimum assessment agreement for the estimated taxable value (\$16,320,000) of the new improvements.

Conformance with Land Use Policy Plan

The Land Use Policy Plan, adopted by the City Council in 1997 and subsequently amended, provides guidance on the adoption of an urban renewal plan.

GOALS FOR A NEW VISION (LUPP PP. 14-23)

Goals for a New Vision of the Land Use Policy Plan describe ten goals in broad categories, as well as a number of objectives to meet those goals. Those that more greatly influence the development of an industrial urban renewal area are quoted below. Some goals are not included as they bear little relationship to this economic development issue.

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.

Objectives. In managing growth, Ames seeks the following objectives.

....

- 1.C. Ames seeks to manage a population and employment base that can be supported by the community's capacity for growth. A population base of 61,000-73,000 and an employment base of up to 34,000 is targeted within the City. Additionally, it is estimated that the population in the combined City and unincorporated Planning Area could be as much as 67,000 and the employment base could be as much as 38,000 by the year 2030.

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.

Objectives. In assuring and guiding areas for growth, Ames seeks the following objectives.

- 2.A. Ames seeks to provide at least 600 to 2,500 acres of additional developable land within the present City and Planning Area by the year 2030. Since the potential demand exceeds the supply within the current corporate limits, alternate sources shall be sought by the community through limited

intensification of existing areas while concentrating on the annexation and development of new areas. The use of existing and new areas should be selective rather than general.

....

Goal No. 9. It is the goal of Ames to promote expansion and diversification of the economy in creating a base that is more self-sufficient and that is more sustainable with regard to the environment.

Objectives. In creating an economic base that is more self-sufficient and environmentally sustainable, Ames seeks the following objectives.

- 9.A. Ames seeks more diversified regional employment opportunities involving technology-related services and production, office centers and retail centers.
- 9.B. Ames seeks to attract and support a small- and medium-size business center that utilizes the skills and products of the area's trained workforce.
- 9.C. Ames seeks to expand its research and technology development through greater private, public and university coordination and cooperation.
- 9.D. Ames seeks economic activities that are compatible and sustainable with its environment.

FUTURE LAND USE POLICY PLAN MAP (LUPP FOLLOWING P. 36)

The area of the proposed urban renewal area is identified on the Land Use Policy Plan Map as Planned Industrial.

- Planned Industrial - Industrial uses that involve a clustered/industrial park setting in order to achieve greater integration of uses, access and appearance. Locations should be near limited-access thoroughfares.

SUMMARY

The urban renewal plan and the proposed urban renewal project within the proposed urban renewal area are consistent with and supported by the goals of the Ames Land Use Policy Plan. This is demonstrated by:

- The Project will support an increased employment base moving the City closer to its 2030 employment projections.
- The Project provides intensification of development in the industrial area.
- The Project leverages private development with its investment of public resources.
- The Project supports and the Area is within an industrial infill area where public infrastructure is immediately adjacent.
- The Project will allow for the expansion of the industrial base.

- The Area lies within a Planned Industrial designation of the Land Use Policy Plan Map.
- There are no identified issues that make the development of the Project within this Area inconsistent with the Land Use Policy Plan.

Conformance with Zoning and Current Use

The Area is currently zoned PI Planned Industrial. This zoning designation is consistent with the Land Use Policy Plan Map. It is also consistent with the current use (Barilla).

City's Debt Obligations

This urban renewal area will include a provision for tax increment financing. In accordance with Code of Iowa Chapter 403.17(24)(c), the following financial information is provided.

CURRENT GENERAL OBLIGATION AND REVENUE BOND DEBT

| Governmental Activities | | | | | |
|-----------------------------|-----------|----------------------|----------------------------|----------------|---------------------------|
| General Obligation Bonds | Sale Date | Original Borrowing | Interest Rates to Maturity | Final Maturity | Outstanding June 30, 2016 |
| Corporate purpose | 2008 | \$ 5,855,000 | 3.75-4.150 % | 2020 | \$ 2,295,000 |
| Corporate purpose | 2009 | 11,165,000 | 2.00-3.500 | 2021 | 5,265,000 |
| Corporate purpose | 2010 | 6,690,000 | 2.00-2.500 | 2022 | 3,655,000 |
| Refunding | 2011 | 5,980,000 | 2.00-3.350 | 2021 | 1,190,000 |
| Corporate purpose | 2011 | 6,675,000 | 1.00-2.400 | 2023 | 4,045,000 |
| Corporate purpose | 2012 | 11,325,000 | 1.50-3.000 | 2032 | 8,530,000 |
| Corporate purpose/refunding | 2013 | 21,220,000 | 2.00-3.125 | 2032 | 16,440,000 |
| Corporate purpose | 2014 | 9,395,000 | 2.00-2.500 | 2026 | 7,870,000 |
| Corporate purpose/refunding | 2015 | 16,585,000 | 3.00-5.000 | 2035 | 14,405,404 |
| | | <u>\$ 94,890,000</u> | | | <u>\$ 63,695,404</u> |

Business-Type Activities

| General Obligation Bonds | Sale Date | Original Borrowing | Interest Rates to Maturity | Final Maturity | Outstanding June 30, 2016 |
|-----------------------------|--------------|-----------------------|----------------------------------|-------------------|---------------------------------|
| Corporate purpose | 2008 | \$ 2,500,000 | 1.00-2.40 % | 2023 | \$ 995,000 |
| Corporate purpose | 2012 | 1,335,000 | 1.50-3.00 | 2024 | 935,000 |
| Corporate purpose | 2013 | 1,320,000 | 2.00-3.00 | 2025 | 1,020,000 |
| Corporate purpose | 2014 | 300,000 | 2.00-2.50 | 2024 | 250,000 |
| Corporate purpose/refunding | 2015 | 2,061,714 | 3.00-5.00 | 2027 | 1,929,596 |
| | | <u>\$ 7,516,714</u> | | | <u>\$ 5,129,596</u> |

CURRENT CONSTITUTIONAL DEBT LIMIT AND CAPACITY

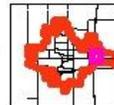
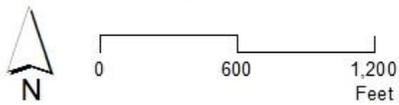
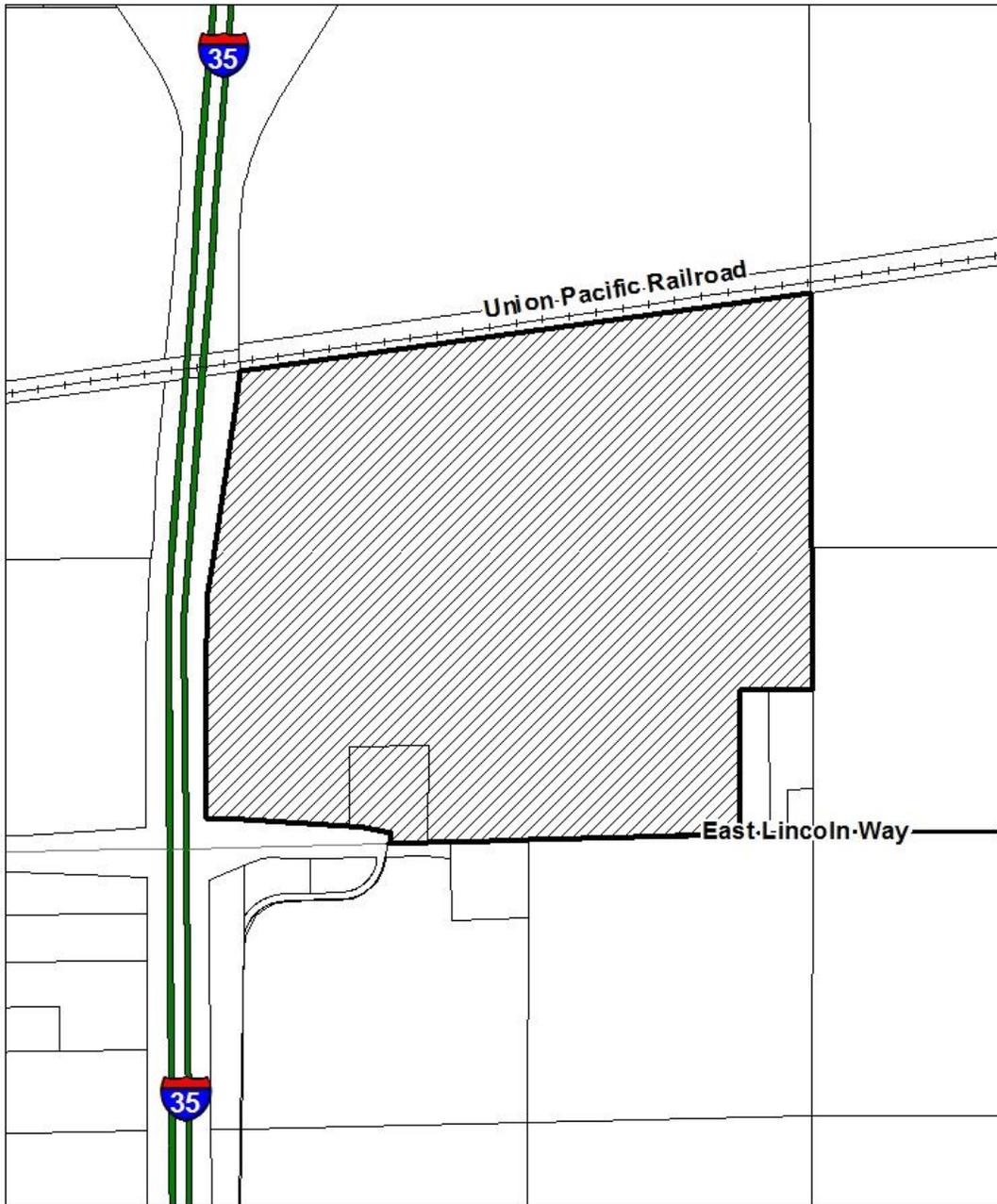
Legal debt margin for the fiscal year ended June 30, 2016:

| | |
|---|-------------------------|
| Assessed value | <u>\$ 3,789,598,226</u> |
| Debt limit (5% of actual value) | \$ 189,479,911 |
| Debt applicable to limit: | |
| General obligation bonds | <u>68,825,000</u> |
| Legal debt margin | <u>\$ 120,654,911</u> |
| Percentage of net debt margin available | <u>63.68%</u> |
| Percentage of net debt margin exhausted | <u>36.32%</u> |

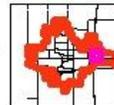
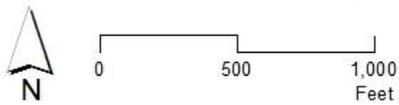
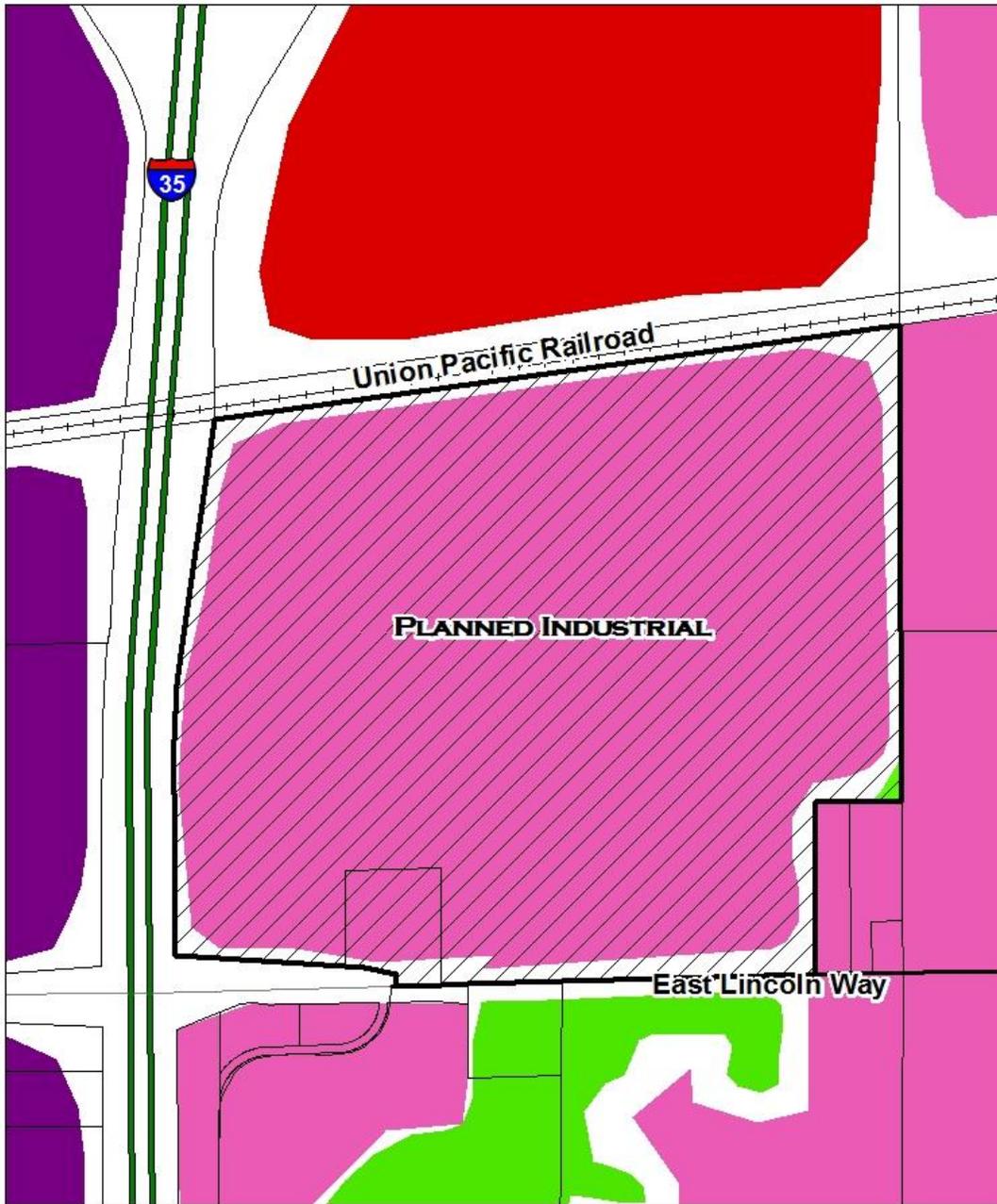
Proposed Amount of Tax Increment Financing

The City intends to enter into a Tax Increment Financing (TIF) rebate agreement with the developer of the project to provide a rebate of 100 percent of eligible incremental property taxes for a period of ten years or an amount not to exceed \$3,000,000, whichever comes first. The TIF agreement will provide for annual City Council approval of each TIF rebate, which will enable the City to count only the amount of each rebate payment against the City's constitutional debt limit rather than the full \$3,000,000.

MAP 1: LOCATION AND PROJECT AREA



MAP 2: LAND USE POLICY PLAN [EXCERPT]



Appendix A

Recommendation of the Planning and Zoning Commission of June 21, 2017.

At the June 21, 2017 meeting of the Planning and Zoning Commission, motion by Basmajian, second by Bowers to find that the draft Barilla Urban Renewal Plan is consistent with the Ames Land Use Policy Plan. Motion passed 6-0.

Appendix B

Notice of consultation to Affected Taxing Entities



June 14, 2017

Story County Board of Supervisors
900 Sixth Street
Nevada, IA 50201

Ames Community School District
2005 24th Street
Ames, IA 50010

To whom it may concern:

The City of Ames is in the process of establishing an urban renewal area and approving an urban renewal plan for the Barilla Urban Renewal Area. In accordance with Section 403.5 of the Code of Iowa, the City is sending you the enclosed copy of its urban renewal plan and scheduling a meeting at which you, as an affected taxing entity, will have the opportunity to discuss the plan.

This meeting to discuss our urban renewal plan has been set for June 22, 2017, at 4:00 p.m. in Room 233 of the Ames City Hall, 515 Clark Avenue. State law gives you the right to make written recommendations concerning the urban renewal plan no later than seven days following the date of the meeting.

The City Council will also hold a public hearing on the urban renewal plan at 6:00 o'clock p.m. on July 11, 2017. A formal notice of public hearing will be mailed prior to the meeting.

Please contact Kelly Diekmann, Planning and Housing Director, at 239-5181 or kdiekmann@city.ames.ia.us if you have questions.

Sincerely,

Kelly Diekmann
Planning and Housing Director

Enclosure

Planning and Housing Department

515.239.5400 *main*
515.239.5404 *fax*

515 Clark Ave. P.O. Box 811
Ames, IA 50010
www.CityofAmes.org

Appendix C

Affected Taxing Entities, their addresses, and representatives to the consultation.

| Affected Taxing Entity | Mailing Address | Representative to Consultation |
|-----------------------------------|--|--|
| City of Ames | 515 Clark Avenue Ames, IA 50010 | Kelly Diekmann, Planning and Housing Director |
| Ames Community School District | 2005 24 th Street Ames, IA 50014 | none |
| Story County | 900 6th Street Nevada, IA 50201 | none |

Appendix D

Notice of public hearing was published in the Ames Tribune on June 30, 2017 and mailed to the Affected Taxing Entities.

NOTICE OF PUBLIC HEARING ON DESIGNATION OF THE BARILLA URBAN RENEWAL AREA AND ON PROPOSED URBAN RENEWAL PLAN AND PROJECT

Notice Is Hereby Given: That at 6:00 o'clock p.m., at the City Hall Council Chambers, Ames, Iowa, on the 11th day of July, 2017, the Ames City Council will hold a public hearing on the question of designating as the Barilla Urban Renewal Area, pursuant to Chapter 403, Code of Iowa, certain property generally described as follows: 140 acres of property located east of Interstate Highway 35 and north of East Lincoln Way, owned by Barilla America, Inc., and more specifically described in the urban renewal plan for the Barilla Urban Renewal Area. The subject matter of the public hearing will also include a proposed Urban Renewal Plan and project for the Barilla Urban Renewal Area identified above, pursuant to Chapter 403, Code of Iowa, a copy of which plan is on file in the office of the City Clerk. The general scope of the proposed urban renewal plan, as more specifically described therein, includes the following: Increasing the tax base and promoting economic growth and employment in Ames through the use of property tax incentives. The initial purpose of the plan is to make it possible for the City to enter into a development agreement to provide incremental property tax rebate payments in order to assist Barilla America, Inc. with the expansion of the Barilla manufacturing facilities located at 3303 and 3311 East Lincoln Way. At the hearing any interested person may file written objections or comments and may be heard with respect to the subject matter of the hearing.

Diane Voss, City Clerk

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 24.17 THEREOF, FOR THE PURPOSE OF A FOURTH TAX INCREMENT FINANCING DISTRICT; 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 enacting a new Section 24.17 as follows:

“Sec. 24.17. FOURTH TAX INCREMENT FINANCING DISTRICT.

(1) Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the Barilla Urban Renewal Area, each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by the City of Ames to finance projects in such area.

(2) Definitions. For use within this ordinance the following terms shall have the following meanings:

“City” shall mean the City of Ames, Iowa.

“County” shall mean Story County, Iowa.

“Urban Renewal Area” shall mean the Barilla Urban Renewal Area, which includes the property identified below, such Area having been identified in the Urban Renewal Plan approved by the City Council by resolution adopted on July 11, 2017:

3311 East Lincoln Way (10-06-400-010)

Parcel “B” being a part of the Southeast Quarter (SE ¼) and East Half (E ½) of the Southwest Quarter (SW ¼), Section Six (6), Township Eighty-three (83) North, Range Twenty-three (23) West of the 5th P.M., City of Ames, Story County, Iowa as described in a Plat of Survey filed in the office of the Recorder of Story County, Iowa, on July 22, 1997, in Certificate & Field Notes Book 15, Page 18.

And

3303 East Lincoln Way (10-06-450-020)

Beginning at a point on the South Line of the Southeast Quarter (SE ¼) of Section Six (6), Township Eighty-three (83) North, Range Twenty-three (23) West of the 5th P.M., Story County, Iowa, Four Hundred Seventy-seven (477) Feet East of the South Quarter (S ¼) Corner of said Section Six (6); thence North 2° 03’ East Four Hundred Fifty Five (455) Feet; thence East Three Hundred Sixty-eight (368) Feet; thence South 2° 03’ West Four Hundred Fifty-five (455) Feet; thence West along the Section line Three Hundred Sixty-eight (368) Feet to the Point of Beginning, now in the City of Ames, Iowa, subject to easements to the State of Iowa recorded in Book 98, Page 123 and Book 88, Page 295.

(3) Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area each year by and for the benefit of the State of Iowa, the City, the County and any school district or other taxing district in which the Urban Renewal Area is located, shall be divided as follows:

(a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the Urban Renewal Area on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the City to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1) of the Code of Iowa, incurred by the City to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22 of the Code of Iowa, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, to the extent authorized in Section 403.19 (2) of the Code of Iowa, taxes for the instructional support program levy of a school district, imposed pursuant to Section 257.19 of the Code of Iowa, to the extent authorized in Section 403.19(2) of the Code of Iowa, taxes for the payment of bonds and interest of each taxing district, and taxes imposed under Section 346.27(22) of the Code of Iowa, related to joint county-city buildings, shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the City for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the City to finance or refinance in whole or in part projects in the Urban Renewal Area.

(d) as used in this section, the word "taxes" includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

(4) Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

(5) Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional."

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

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

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

COUNCIL ACTION FORM

SUBJECT: POWER PLANT VALVE MAINTENANCE SERVICES CONTRACT

BACKGROUND:

On May 23, 2017, City Council approved preliminary plans and specifications for the Valve Maintenance, Related Services and Supplies Contract for the Power Plant. The Electric Utility's two natural gas-fired, high-pressure steam generation units require regular professional maintenance and repair. This consists of emergency service as well as regularly scheduled planned repairs and services during scheduled outages.

Services include a large variety of boiler and pressure vessel maintenance and repairs, structural steel, pump and piping work, coal handling system, coal pulverizer work, and other miscellaneous mechanical Power Plant work. Due to these operational conditions, numerous valves are used to operate the Power Plant. These include isolation, control, check, relief and safety valves, which must be professionally repaired, tested, installed, replaced and maintained. Specially trained personnel perform this work.

This initial contract is to provide valve maintenance services for the period from contract and bond approval date through June 30, 2018. The contract also 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 eighteen 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 three plan rooms.

On June 28, 2017, three bids were received as shown on the attached report. Electric Services staff needs additional time to evaluate the remaining bids to determine which one will provide the best value for these services at the lowest overall price.

ALTERNATIVES:

1. Accept the report of bids and delay award for the FY2017/18 Valve Maintenance, Related Services and Supplies Contract.
2. Award a contract to the apparent low bid.
3. Reject all bids and direct staff to rebid.

CITY MANAGER'S RECOMMENDED ACTION:

Staff needs additional time to evaluate each bid to ensure that the City receives the best value for these services.

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



2017-172 VALVE MAINTENANCE, RELATED SERVICES AND SUPPLIES CONTRACT FOR POWER PLANT BID SUMMARY

**Pioneer Industrial
Hastings, NE**

**Dowco Valve Company Inc
DeWitt, IA**

**Allied Valve, Inc
Bettendorf, IA**

| LABOR AND RELATED COSTS | | | | | | | | | |
|--|---|------------|-------------|--|------------|-------------|---|---------------------|-------------|
| DESCRIPTION | HOURLY RATES | | | HOURLY RATES | | | HOURLY RATES | | |
| | STRAIGHT TIME | OVERTIME | DOUBLE TIME | STRAIGHT TIME | OVERTIME | DOUBLE TIME | STRAIGHT TIME | OVERTIME | DOUBLE TIME |
| Foreman | \$65.00 | \$97.50 | \$130.00 | \$71.00 | \$99.00 | \$120.00 | \$125.00 | \$156.00 | \$210.00 |
| Journeyman | \$65.00 | \$97.50 | \$130.00 | \$71.00 | \$99.00 | \$120.00 | \$115.00 | \$145.00 | \$210.00 |
| Valve Technician | \$65.00 | \$97.50 | \$130.00 | \$67.00 | \$94.00 | \$115.00 | \$82.00 | \$115.00 | \$140.00 |
| Instrument Technician Actuators | \$90.00 | \$135.00 | \$180.00 | \$110.00 | \$163.00 | \$185.00 | | | |
| TRAVEL & SUBSISTENCE | | | | | | | | | |
| DESCRIPTION | RATE | | | RATE | | | RATE | | |
| Subsistence: | \$40.00 + Hotel, Add 15% to Hotel Charges (Estimated Hotel:\$140.00/room per night) | | | \$50.00 Meals + \$125.00 Motel Estimate + \$175.00 | | | | | |
| Foreman | \$180.00 | | | \$175.00 | | | \$60.00 | | |
| Journeyman | \$180.00 | | | \$175.00 | | | \$60.00 | | |
| Valve Technician | \$180.00 | | | \$175.00 | | | \$60.00 | | |
| Travel and Mileage: | Regular Hours of Travel non OT/DT | | | Monday - Friday No OT | | | | | |
| Foreman travel | \$65.00 | | | \$71.00 | | | \$70.00 ST/HR \$90.00 SAT+OT \$130.00 HOL | | |
| Foreman mileage | \$1.00 | | | \$1.05 | | | \$70.00 ST/HR \$90.00 SAT+OT \$130.00 HOL | | |
| Journeyman travel | \$65.00 | | | \$71.00 | | | \$70.00 ST/HR \$90.00 SAT+OT \$130.00 HOL | | |
| Journeyman mileage | \$1.00 | | | \$1.05 | | | \$70.00 ST/HR \$90.00 SAT+OT \$130.00 HOL | | |
| Valve Technician travel | \$65.00 | | | \$67.00 | | | \$70.00 ST/HR \$90.00 SAT+OT \$130.00 HOL | | |
| Valve Technician mileage | \$1.00 | | | \$1.05 | | | \$70.00 ST/HR \$90.00 SAT+OT \$130.00 HOL | | |
| Deliveries: | | | | | | | | | |
| Travel | \$65.00 | | | \$67.00 | | | \$60.00 | | |
| Mileage | \$1.00 / mile | | | \$1.05 / mile | | | \$1.00 / mile | | |
| EQUIPMENT | | | | | | | | | |
| DESCRIPTION | PER DAY | PER WEEK | | PER DAY | PER WEEK | | PER DAY | PER WEEK | |
| Mobile shop trailer | \$400.00 | \$2,000.00 | | \$350.00 | \$1,835.00 | | \$500.00 | \$2,500.00 (7 days) | |
| Packing extractor | \$250.00 | \$1,250.00 | | \$200.00 | \$1,050.00 | | \$125.00 | \$0.00 | |
| Truck | \$100.00 | \$500.00 | | \$50.00 | \$265.00 | | \$150.00 | \$1,050.00 (7 days) | |
| Hydro set testing device | \$150.00 | \$750.00 | | \$300.00 | \$1,575.00 | | \$0.00 | \$0.00 | |
| Electronic valve tester | \$200.00 | \$1,000.00 | | \$350.00 | \$1,835.00 | | \$550.00 | \$0 (day only) | |
| Gate valve machine | SEE BELOW | SEE BELOW | | \$475.00 | \$2,490.00 | | \$495.00 | \$0 (day only) | |
| Reseating machine | \$500.00 | \$2,500.00 | | \$475.00 | \$2,490.00 | | \$1,000.00 | \$0 (day only) | |
| Valve bore honing tool | \$500.00 | \$2,500.00 | | \$475.00 | \$2,490.00 | | \$750.00 | \$0 (day only) | |
| Gate valve machine (1 1/2" to 14" valve size) | \$400.00 | \$2,000.00 | | \$350.00 | \$1,835.00 | | \$495.00 | \$0 (day only) | |
| Gate valve machine (8" to 30 valve size) | \$525.00 | \$2,625.00 | | \$475.00 | \$2,490.00 | | \$495.00 | \$0 (day only) | |
| MATERIAL COSTS | Cost plus 20% | | | Cost plus 20% | | | Cost plus 25% | | |
| OTHER RATES | | | | | | | | | |
| DESCRIPTION | RATE | | | RATE | | | RATE | | |
| Shop truck mileage | \$1.00 | | | \$1.05/mile | | | \$1.00/mile | | |
| Mobile shop trailer mileage | \$1.00 | | | \$1.05/mile | | | \$2.00/mile | | |
| Safety Equipment | | | | \$15.00 per man per day | | | | | |
| Consumables | | | | 5% of labor hours x regular hourly | | | | | |
| PRICE INCREASE ESCALATORS FOR ANNUAL RENEWAL TERMS | | | | | | | | | |
| Labor Rates: | 3% | | | 3% | | | 3% | | |
| Travel & Subsistence: | 2% | | | 2% | | | 3% | | |
| Equipment & Tools: | 1% | | | 1% | | | 0% | | |



CITY OF
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MEMO

33

To: Mayor and City Council

From: Brian Phillips, Assistant City Manager

Date: July 11, 2017

Subject: Resolution Regarding Equal Provision of Public Services

At the June 27, 2017, City Council meeting, the City Council discussed and adopted a “Safe Community Resolution.” Subsequent to that discussion, the City Council approved a motion to place an additional resolution on a future City Council agenda. The language of this additional resolution was proposed by Council Member Orazem. The text of it appears attached to this memorandum.

RESOLUTION NO. __

**RESOLUTION AFFIRMING EQUAL PROVISION
OF PUBLIC SERVICES
TO THE COMMUNITY OF AMES, IOWA**

WHEREAS, Ames hosts Iowa State University, a major research university that welcomes over 4 thousand international students per year from 124 countries; and,

WHEREAS, alumni of Iowa State reside in at least 134 different countries; and,

WHEREAS, 12% of the Ames population is foreign born; and,

WHEREAS, the City of Ames collaborates with the Ames International Partner Cities Association to promote cultural and educational exchanges between the people of the City of Ames and those of her Partner Cities; and,

WHEREAS, our Declaration asserting the basis for our nation's founding, has held that all men are created equal with certain unalienable Rights including Life, Liberty and the pursuit of Happiness, and that the proper function of Government is to insure those rights; and,

WHEREAS, in 1868, the State of Iowa ratified the 14th Amendment to the U.S. Constitution which declares that, "No state shall deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws"; and

WHEREAS, from its founding, the City of Ames, her public employees, and her citizens have endeavored to welcome and support visitors, immigrants and refugees from all nations, religions, and backgrounds with policies and programs that foster inclusion for all;

NOW, THEREFORE, BE IT RESOLVED, that the City of Ames will assure that its employees and citizens will be fully informed of their responsibility to extend the rights of equal protection under the laws of the City of Ames to all residents, citizen and noncitizen; and,

BE IT FURTHER RESOLVED, that no residents of the City of Ames, citizen or noncitizen, will be deprived of life, liberty or property without due process of law; and,

BE IT FURTHER RESOLVED, that no employees of the city of Ames will limit access to public services or seek proof of citizenship except where federal or state law explicitly reserve rights for legal citizens of the United States.

ADOPTED THIS __ day of _____, 2017.

TO: Members of the City Council

FROM: Ann H. Campbell, Mayor

DATE: July 11, 2017

SUBJECT: City Attorney Recruitment

At the June 27 City Council meeting, there was a motion to direct staff to provide a job description and various alternatives for overseeing the position of City Attorney.

Since the retirement of our City Attorney, we are now needing to move forward with the recruitment process. As is usually the case when there is a retirement or resignation in the City, there is an opportunity to reexamine job descriptions and organization. To that end, I have asked city staff to research state and national comparables and implications for the City of Ames.

Below are the results of staff's research:

- 1) Background for City Council hiring and supervising City Attorney
- 2) Background for City Attorney's being hired and supervised by City Manager
- 3) Human Resources recruiting suggestions
- 4) Staff suggestions for supervision of City Attorney's position
- 5) Pertinent current City code sections & proposed changes

Interim City Attorney Mark Lambert prepared the following background report on the generally accepted practice of having the City Attorney report directly to the City Council:

Background for City Council hiring and supervising City Attorney

Having the City Council hire a City Attorney directly is done for reasons of checks and balances to protect the independence of the City Attorney and her/his advice, and ultimately to protect the Council and the City. There could be risk

for the Council if the Attorney is supervised by the Manager, as the part of the City Attorney's job is to protect the City and the Council from actions/policies by city employees that might be unlawful or otherwise put the City at risk. The City Attorney's autonomy allows him/her to make independent recommendations to the Council.

The City Attorney's job is to advise the City Council, City Manager, and the City departments on legal matters. A risk of placing the City Attorney under the direct supervision of the City Manager is that the independence of the City Attorney may be compromised. Just as a hypothetical example, if a City department was seeking an ordinance that the City Attorney's office thought was unlawful in some way, there is risk that the City Manager could override the City Attorney's advice and proceed with the ordinance, and the City Attorney might feel unable to advise the Council otherwise.

Virtually all City Attorneys in large cities in Iowa are hired and supervised directly by their respective Councils. A quick survey of 14 larger cities in Iowa showed that in all but two cases the Council directly hires and supervises the City Attorney.

- Cities where City Council directly hires/supervises the City Attorney: Des Moines, Cedar Rapids, Sioux City, Iowa City, Waterloo, Council Bluffs, West Des Moines, Dubuque, Urbandale, Marion, Bettendorf, and Ankeny (which apparently contracts out city attorney services).

- In the City of Davenport, the Council hires the City Attorney on the recommendation of the City Administrator. It appears that the City Attorney reports to the Council, but is required to keep "the city administrator fully advised of the work being performed by the legal department." The Davenport "corporate counsel," as it is called, has charge of all legal services auxiliary to council action and makes quarterly reports to the city administrator and council. Removal may only be accomplished with a recommendation by the administrator with 2/3 approval by Council. Compensation is fixed by the administrator subject to Council approval.

- In 2016, the City of Cedar Falls determined that the City was best served by having a full-time City Attorney (as it had in the past) and the existing City Code already in effect had the city administrator supervise the legal department.

At other governmental levels in Iowa, there is separation between the management and the attorney. On the county level in Iowa, county attorneys are elected, and do not answer to the Board of Supervisors or the county

manager/administrator. On the state level, the Attorney General is elected, and does not answer to the Legislature or the Governor.

City Councils hiring City Attorneys is the norm nationwide. One source found online was a paper prepared by an attorney in California, "The City Attorney/City Manager Survival Guide" by Michael Jenkins. It states in the introductory paragraph: "Most city councils appoint a city attorney, approximately 2% are elected. In a general law city, the city manager and the city attorney are typically the only city officials directly appointed by the city council and are the highest ranking city employees."

The City Manager's office prepared the following summary of an alternative supervisory approach:

Background for City Attorney being hired and supervised by City Manager

Another supervisory approach would be for the City Attorney to operate under the direction of the City Manager, as is the case for nearly all other City department heads. (The two exceptions are the Library Director and the Transit Director, who each report to a separate board.) As with all other departments within the organization, under this arrangement the City Manager would have responsibility for ensuring that high quality legal services are provided, for seeing that all of the Council's adopted policies and processes are followed, and for assuring that all employees in the City Attorney's Office are subject to the same policies and procedures as those in the other departments.

Since the City Manager is a full-time position, she/he is in a better position to judge the performance of the City Attorney on a daily basis from within the organization rather than rely on periodic observations of part-time board members from outside of the organization. Since the major customers of the City Attorney's Office are the City departments, a case can be made that the City Manager is better positioned to make sure the City Attorney and her/his staff is responsive to the requests for legal assistance from the various City departments.

Human Resources recruiting suggestions

Attached is a memo from Human Resources Director Kaila Kenjar addressing the recruitment of a new City Attorney. She has also included a proposed job description and a draft recruitment plan. Kaila will be present on Tuesday evening to help us refine these two documents. Staff is also collecting data on salaries paid to city attorneys in other, comparably sized Iowa communities in case we want to set a salary range or cap on Tuesday evening.

On the other hand, should Council choose to move supervision of this position to the City Manager, no additional direction regarding the job description or recruitment will be needed. The City's established processes would be utilized to accomplish approve a job description, carry out the recruitment and determine an appropriate salary range.

Staff suggestions for supervision of City Attorney's position

Should Council decide to retain supervision of this position, staff thought it was important to offer the following suggestions for how Council oversight might be most effective:

- Hold more frequent meetings between the City Attorney and Council members or representatives of the Council. The frequency could range from weekly to quarterly.
- The Mayor and select Council members could hold regular, joint meetings with the City Manager and City Attorney.
- The City Attorney could file periodic reports to the Council.
- The Council could direct that periodic surveys be conducted to gather customer input regarding services provided by the City Attorney. This could provide Council with valuable information that for identifying and correcting any potential issues.
- The City Council could include in the City Attorney's annual evaluation a set of specific criteria that would assure quality legal service to the other departments and assure that the City Attorney's Office is treated the same as other departments in the City.

Pertinent current City Code sections & proposed changes

Sections of the City Code dealing with the City Attorney are shown on the next page. Whichever supervisory model is chosen by Council, the City Manager has recommended that Section 2.48 of the Code be modified to clearly state that the City Attorney and the Legal Department operate under the City Council's established policies, processes and procedures. This would include financial management (budget preparation, purchasing, etc.), human resource management (personnel policies and procedures, job classification, recruitment, salary determination, performance appraisal process, Civil Service, hiring, etc.), I/T policies, etc.

Sec. 2.11. OTHER MATTERS PERTAINING TO THE MAYOR AND MAYOR PRO TEM.

(1) The mayor is the chief executive officer of the city and presiding officer of the council. Except for the supervisory duties which have been delegated by ordinance to the city manager, the mayor shall supervise all city officers and departments.

**DIVISION IV
CITY ATTORNEY**

Sec. 2.47. COUNCIL TO APPOINT CITY ATTORNEY.

City Attorney may be appointed by vote of a majority of the whole number of the city council and shall serve at the pleasure of the city council, and be subject to removal by a vote the same as required for appointment.

[State Law Ref. Iowa Code Sec. 372.13(4)]

Sec. 2.48. POWERS AND DUTIES.

The city attorney shall be head of the legal department of the city and supervise such assistants as may be appointed. The city attorney, and assistants when so directed by the city attorney, shall have the following powers and duties:

(1) Opinions. The city attorney shall give, when requested by the city council, administrative agency, city manager or department head, legal opinion upon all questions of law arising out of any ordinances, suits, claims, or demands for or against the city, and shall give such opinion in writing unless otherwise so requested, which said opinion shall be filed and preserved among the records of the city clerk.

(2) Legal adviser. Act as legal adviser to all city officials, boards and commissions as far as their or its official duties are concerned, when requested to do so by said officials, boards and commissions.

(3) Ordinances. Report to the city council any defects that may be discovered in any ordinance, and shall draw such ordinances as may be requested by the city council.

(4) Contracts and litigation. When directed to do so by any city official, board or commission, draw all contracts between the city and other parties, prosecute and defend all suits or other matters in which the city shall be a party, take appeals in such cases as the interest of the city requires, and prosecute or defend the city's interest in all the courts of the state and of the United States, all subject, however, to the direction of the city council; provided however, that the city attorney is authorized and directed hereby to prepare, sign and file proper informations when there is evidence that a person may be guilty of a violation of a city ordinance, and to prosecute any and all such informations to judgment and on appeal.

(5) Sign legal papers. Sign the name of the city to bonds and papers of whatever kind necessary in legal

proceedings for the prosecution of any suit in court when directed to do so by the city council.

(6) Deliver effects of office to successor. Transmit to a successor a docket of all cases pending wherein the city is a part, as well as all books, papers and documents in the possession of the City Attorney belonging to the city.
(Ord. No. 2508, Sec. 2, 5-20-75, Ord. No. 3633, 10-23-01).

To: Mayor and City Council Members
From: Kaila Kenjar, Human Resources Director
Date: July 7, 2017
Subject: City Attorney Job Description and Recruitment Plan

Assuming the City Council chooses to have the City Attorney report to the City Council, this memo outlines the items that should be discussed for the purpose of finalizing the job description and recruitment plan. If the Council decides not to have the City Attorney report to the City Council, this memo will be disregarded and the City Manager will direct the recruitment and selection process.

Staff has made several key changes to the job description for Council's review and discussion. The City Attorney job description has been updated from what was provided to Council and City Attorney candidates during the 2012 recruitment. These job description changes include:

- The individuals to whom the City Attorney will be responsive
- A statement outlining the requirements of this position to follow various City policies and procedures
- Modifications to the education and experience requirements.

Additionally, Council may want to further discuss whether it is satisfied with the minimum qualifications and determine the necessity of the residency requirement for this position. It should be noted that implementing a residency requirement may limit the pool of potential candidates.

Upon conclusion of Council's review and discussion of the job description, staff is requesting approval to finalize the job description.

Staff has also provided the Council with a draft recruitment plan. This document serves to provide an overview of the recruitment/hiring process and various components that

comprise the process. Council may want to discuss the use of a recruiting firm and the impact on the time frame/posting length; the draft time frame; and any components of the plan.

Upon conclusion of Council's review and discussion of the draft recruitment plan, staff is requesting approval to finalize the City Attorney Recruitment Plan and subsequently begin the recruitment/hiring process.

Another point of discussion is whether or not the City Council wants to set a salary range or a maximum salary, which would help ensure potential candidates' salary expectations are aligned with what the City Council is willing to entertain. Staff will provide more details at or prior to the Council Meeting on July 11, 2017.

Attachments:

Updated Job Description

Draft Recruitment Plan

DEFINITION: The City Attorney provides legal advice and services to the Mayor, City Council, the City Manager, City Staff, Boards and Commission, and, when available, to Mary Greeley Medical Center in matters related to operations, services, and activities of the municipality; drafts city ordinances, resolutions and other legislative documentation; reviews policies and procedures for compliance with legal requirements.

JOB FUNCTIONS:

Examples of Essential Job Functions: Under the direction of the Mayor and City Council, acts as legal advisor and counsel for the City of Ames and all officers of the city, including all boards and commissions as applicable; conducts legal research; advises city officials and staff concerning legality of operations, policies, procedures, and activities. Drafts ordinances, resolutions, and other documents for review and action by the Mayor and City Council; drafts other legal documents for City Staff and Mary Greeley Medical Center. Prepares opinions about questions of law regarding the interest of the City. Represents the City in general litigation matters; prosecutes and defends all suits and actions to be brought and pending in any court in the State of Iowa or United States; attends administrative hearings and other meetings to represent the City's position. Prepares and presents staff reports and other necessary correspondence. Follows City adopted policies and administrative processes including, but not limited to personnel policies; purchasing policies; pay and classification systems; Civil Service practices and policies; and performance management, hiring, and budget processes. Under the direction of the City Manager's Office, assists in preparing and administering the annual budget for City's Legal Department. Supervises legal professional and support staff, and leads staff in implementing department and city-wide goals and objectives. Attends City Council meetings and provides legal advice and opinion.

Other Job Functions: Conducts special projects and research assigned by the Mayor, City Council, or the City Manager. With approval of the City Council, may conduct special projects and research for Mary Greeley Medical Center and Boards and Commissions. May monitor the performance of legal work by outside counsel and assist outside counsel where appropriate. Performs related duties and responsibilities as required.

EXCELLENCE THROUGH PEOPLE:

Each employee is expected to continually strive to bring shared values to life through our Excellence Through People organizational culture. ETP values include: committing to continuous improvement, inspiring creativity and innovation, being customer driven, making data-driven decisions, championing employee involvement, striving for excellence, having fiscal stewardship, acting with honesty and integrity, exhibiting leadership, choosing a positive attitude, respecting one another, promoting safety and wellness, and cultivating teamwork. For leaders, this includes creating a work culture that brings these values to life. For all employees, this includes maintaining a Total City Perspective. The purpose of ETP is to deliver exceptional services to the public at the best price, and for employees to experience an enjoyable and stimulating work environment.

EQUIPMENT:

Examples of Equipment Used on the Job: Operates assigned equipment.

PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS:

General Physical Characteristics: The work involves sitting 85 percent of the time; standing and walking 15 percent of the time; frequently lifting objects under 10 pounds; infrequently lifting objects from 10 to 25 pounds; and infrequently lifting objects from 25 to 50 pounds

Vision Requirements: The minimum standard for use with those whose work deals largely with preparing and analyzing data and figures, accounting, transcription, computer terminal, extensive reading, visual inspection involving small defects or parts, use of measurement devices, or assembly of parts at distances close to the eyes.

Required Physical Activities: Climbing, stooping, kneeling, crouching, reaching, standing, walking, lifting, finger dexterity, grasping, talking, and hearing.

Environmental Conditions: The work is performed inside and occasionally outside and occasionally includes being exposed to noise and/or vibration.

EMPLOYMENT STANDARDS:

Education and Experience: Graduation from an educational institution accredited by a DOE recognized accreditation body with a Juris Doctorate degree and admission to Iowa Bar to practice in Iowa state courts, as well as federal courts is required. Five years' experience in general legal practice with exposure to municipal or government law required. Experience in legal practice including litigation and negotiation, real estate, commercial and contract law is required.

Preferred Experience: Minimum of three years of experience in a management/supervisory capacity.

Must pass a credit and background check.

Knowledge, Skills, and Abilities: Knowledge of modern and complex principles and practices of criminal, constitutional, municipal, human resources, labor relations, and contract law; methods and techniques of legal research; courtroom procedures; principles of legal and business letter writing and report preparation; English usage, spelling, grammar and punctuation; pertinent Federal, State, and local laws, codes and regulations. Ability to organize, interpret and apply legal principles and knowledge of legal problems; present statements of law and fact clearly and logically; prepare clear and concise legal position papers; conduct research on legal problems and prepare sound legal opinions; gain cooperation through discussion and persuasion; properly interpret and make decisions in accordance with laws, regulations and policies; communicate concisely and clearly both orally and in writing; establish and maintain effective working relationships with those contacted in course of work; make sound decisions and use good judgment, determine the appropriate approach to use for

lawsuits, and demonstration of intellectual capabilities. Ability to plan and supervise the work of a professional staff. Ability to understand and follow oral and/or written policies, procedures, and instructions.

**CITY OF AMES DRAFT RECRUITMENT PLAN – CITY ATTORNEY
7/11/17**

POSITION DETAILS

| | |
|---|---------------------------|
| Position Title: City Attorney | Class Number: 9366 |
| Department: Legal | Open/Promo/Existing: Open |
| Civil Service: No | Bargaining Unit: N/A |
| Posting Period: July 14, 2017 – August 7, 2017 Will be posted as open until filled with first review of applications on August 7 th . | Account Number: |

ADVERTISING

Postings: NEOGOV

All regular City Postings
Affirmative Action Mailing List

Special: IMLO

The Iowa Lawyer (website and print publication)
American Bar Association website
Iowa Bar Association website
Iowa League of Cities Cityscape (print publication)
Drake and University of Iowa Placement Offices
Recruiting Firms – OPTIONAL*

TARGET TIMEFRAMES **

| | |
|---|--|
| Advertising/Accepting Applications | July 14th - August 7th |
| Complete Hiring Assessment Job Standard | Week of July 17th |
| Minimum Qualifications Review | Week of August 7th |
| Select & Schedule Phone Interview Candidates | Week of August 14th |
| Phone Interviews | Week of August 21st |
| Select & Schedule On-site Candidates | Week of August 28th |
| Collect Candidate PI Results | Week of August 28th |
| Review Hiring Assessment Results with Council | Week of August 28th |
| On-site Interviews | Week of September 5th – September 15th |
| Reference Checks | Week of September 18th |
| Offer Extended | Week of September 18th |
| Target Start Date | Middle of October |

*Use of a recruiting firm will generate candidates, but will result in a longer posting period to allow for the firm to source. Steps after qualifications review will be delayed. There will also be additional cost.

**Targeted timeframes are subject to change based on number of candidates, scheduling, and other needs.

1. PRE-INTERVIEW PROCESS

HR will pre-screen applications for minimum qualifications.

HR will work with the City Council to establish the use of an online hiring assessment tool.

2. PRE-INTERVIEW AND PHONE INTERVIEW SELECTION PROCESS

A subcommittee comprised of the Mayor, two City Council members, the City Manager, and the HR Director will review candidate applications and supplemental questionnaire responses. The most qualified candidates (5-10) will be invited to participate in a phone interview with the subcommittee.

Following the phone interviews, approximately 3-4 candidates will be invited for an on-site interview and will be asked to complete the hiring assessment tool.

The HR Director will administer the hiring assessment tool and interpret the candidate's results for the entire City Council.

3. ONSITE INTERVIEW PROCESS

On-site interview components for each candidate could include:

Day 1

- Overview with candidate of the scheduled components of the on-site interview process, and completion of a written statement from the candidates regarding whether they would like their application/candidacy evaluated in closed session.
- Breakfast meeting with three current City Council members.
- Oral Board Interview with staff (Chuck Cychosz, Shawn Bayouth, Diane Voss, Kelly Diekmann) and outside stakeholder (local attorney recommended by Story County Attorney Association)
- Lunch meeting with City department heads
- Meeting with Legal Department staff.
- Late afternoon public presentation with Q&A for local attorneys, judges, MGMC administrators, commission members, press members, and other citizens who want to attend.
- Evening closed session oral interview with all current City Council members*.

Day 2

- Community tour conducted by Brian Phillips.
- Wrap up with candidates including benefits overview, background check authorization, and final questions (Bob Kindred or Kaila Kenjar).
- Lunch meeting with Mayor, the three City Council members who did not attend the breakfast, and Steve Schainker.

4. POST INTERVIEW AND SELECTION

Following onsite interviews, HR will complete references, credit checks, and background checks on all the finalists.

In a closed session, Council members will review the reference information, discuss the candidates, rank (or score) the finalists and subsequently provide direction to the City Manager regarding which candidate to negotiate with. Steve Schainker will then be empowered by the City Council to negotiate with the preferred candidate.

After the negotiation, the City Council will then approve a resolution to hire the new City Attorney.

5. POST OFFER

Physical