

AGENDA
REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL - 515 CLARK AVENUE
JUNE 11, 2019

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

CALL TO ORDER: 6:00 p.m.

PROCLAMATION:

1. Proclamation for “Watershed Awareness Month:” June 2019
2. Proclamation for “National Homeownership Month:” June 2019

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.

3. Motion approving payment of claims
4. Motion approving Minutes of the Regular Meeting of May 28, 2019
5. Motion approving Report of Contract Change Orders for May 15-31, 2019
6. Motion approving 5-day Class B Beer, Class B Native Wine, Class C Native Wine License with Outdoor Service (June 27- July 1) - The Whimsical Wine Trailer, Reiman Gardens, 1407 S University Blvd
7. Motion approving 5-day Class C Liquor License (June 28- July 2) - Great Caterers of Iowa, Hansen Ag, 2508 Mortensen Road
8. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor License with Sunday Sales - Fuji Japanese Steakhouse, 1614 S Kellogg Ave. # 101
 - b. Class C Liquor License with Outdoor Service and Sunday Sales - Old Chicago Pizza and Taproom, 1610 S. Kellogg Ave
 - c. Class E Liquor License with Class B Wine, Class C Beer and Sunday Sales - Casey's General Store #2560, 3020 S Duff Ave
 - d. Class A Liquor License with Outdoor Service and Sunday Sales - Green Hills Residents' Association, 2200 Hamilton Drive, Suite 100
 - e. Class E Liquor License with Class B Wine, Class C Beer and Sunday Sales - Kum & Go # 214, 111 Duff Ave
 - f. Class E Liquor License with Class B Wine, Class C Beer and Sunday Sales - Kum & Go #200, 4510 Mortensen Road

- g. Class E Liquor License with Class B Wine, Class C Beer and Sunday Sales - Kum & Go #216, 203 Welch Ave
 - h. Class E Liquor License with Sunday Sales - MMDG Spirits, 126A Welch Avenue - **PENDING DRAM SHOP**
 - i. Special Class C Liquor License with Class B Wine, Outdoor Service and Sunday Sales - Wheatsfield Cooperative, 413 Northwestern - **PENDING DRAM SHOP**
 - j. Class C Liquor License with Catering and Sunday Sales - Texas Roadhouse, 519 South Duff Avenue
 - k. Special Class C Liquor License with Sunday Sales - Hickory Park Restaurant Co., 1404 South Duff
9. Resolution approving Contracts for Human Services (ASSET) with Lutheran Services in Iowa and HIRTA
 10. Resolution approving proposed revisions to Purchasing Policies and Procedures
 11. Resolution approving 2019-2020 Pay Plan
 12. Resolution approving termination of the Iowa Economic Development Assistance Agreements with Smart-Ag and Xpanxion, LLC
 13. Resolution approving preliminary plans and specifications for Asbestos Remediation and Related Services and Supply Contract for the Power Plant setting July 10, 2019, as bid due date and July 23, 2019, as date of public hearing
 14. Resolution approving preliminary plans and specifications for Non-Asbestos Insulation and Related Services and Supplies for the Power Plant setting July 10, 2019, as bid due date and July 23, 2019, as date of public hearing
 15. Resolution approving preliminary plans and specifications for Campustown Public Improvements - Water Service Replacement (Lincoln Way from Hayward Avenue to Welch Avenue) setting July 3, 2019, as bid due date and July 9, 2019, as date of public hearing
 16. Resolution awarding contract to Plibrico Company LLC of Omaha, Nebraska, for the Power Plant Boiler Maintenance Services Contract in an amount not to exceed \$250,000
 17. Resolution awarding contract to HPI, LLC of Houston, Texas, for the Power Plant Unit 7 Turbine Generator Overhaul in the amount of \$411,464
 18. Resolution awarding contract renewal with Baldwin Pole & Piling of Des Moines, Iowa, for the purchase of Electric Utility Poles
 19. Resolution approving contract and bond for Power Plant Steam Turbine No. 7 Parts Procurement - Mechanical Dynamics & Analysis LLC

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 three minutes.

ADMINISTRATION:

- 20. Ames Economic Development Commission:
 - a. Presentation of Annual Report
 - b. Resolution approving Contract with Ames Economic Development Commission for Economic Development Activities from July 1, 2019, through June 30, 2020, in an amount not to exceed \$150,000
- 21. Progress Report from Sustainability Coordinator regarding FY 2018-19 Activities:
 - a. Motion accepting Report
 - b. Resolution approving Contract with Iowa State University for Sustainability Advisory Services from July 1, 2019, through June 30, 2020, in an amount not to exceed \$25,000

PARKS & RECREATION:

- 22. Staff Report regarding Miracle League Field and Inclusive Playground project at Inis Grove Park:
 - a. Motion directing staff
- 23. Resolution approving Cemetery Master Plan

HEARINGS:

- 24. Hearing on Teagarden Drainage Improvements (continued from April 23, 2019, May 14, 2019, and May 28, 2019):
 - a. Resolution approving final plans and specifications and awarding contract to Con-struct, Inc., of Ames, Iowa, in the amount of \$333,494
- 25. Hearing on North River Valley Well Field & Pipeline Project:
 - a. Motion rejecting all bids
- 26. Hearing on vacating right-of-way adjacent of 635 Agg Avenue, subject to receipt of new Utility Easement:
 - a. First passage of ordinance vacating right-of-way
- 27. Hearing on Zoning Text Amendments (Chapter 29) regarding guest lodging in specified zoning districts:
 - a. First passage of ordinance approving amendments to Chapter 29 and amendments to Chapter 13 and creating a new Chapter 35 to establish zoning definitions, standards, and enforcement procedures for permitting/licensing of guest lodging in specified zoning districts

PLANNING & HOUSING:

- 28. Staff Report on Vacation Lodging
- 29. Discussion of 321 State Avenue

ORDINANCES:

- 30. First passage of ordinance amending Chapter 22 of the *Ames Municipal Code* regarding deferral of infrastructure improvements
- 31. Second passage of ordinance repealing Rental Concentration Cap

DISPOSITION OF COMMUNICATIONS TO COUNCIL:

COUNCIL COMMENTS:

ADJOURNMENT:

MINUTES OF THE MEETING OF THE AMES AREA METROPOLITAN PLANNING ORGANIZATION TRANSPORTATION POLICY COMMITTEE, JOINT MEETING OF THE AMES HISTORIC PRESERVATION COMMISSION AND AMES CITY COUNCIL, AND REGULAR MEETING OF THE AMES CITY COUNCIL COUNCIL CHAMBERS - CITY HALL - 515 CLARK AVENUE

AMES, IOWA

MAY 28, 2019

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

The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee meeting was called to order by Ames Mayor and voting member John Haila at 6:00 p.m. on the 28th day of May, 2019, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Other voting members present were: Bronwyn Beatty-Hansen, City of Ames; Gloria Betcher, City of Ames; Tim Gartin, City of Ames; David Martin, City of Ames; Chris Nelson, City of Ames; and Juan Bibiloni, Transit. Amber Corrieri, City of Ames; Jonathan Popp, Gilbert; Bill Zinnel, Boone County Supervisor; and Lauris Olson, Story County were absent.

CyRide Transportation Planner Shari Atwood; City of Ames Traffic Engineer Damion Pregitzer; and the AAMPO Administrator and Ames Public Works Director John Joiner were also present.

AMENDMENT TO THE FEDERAL FISCAL YEAR 2019 - 2022 TRANSPORTATION IMPROVEMENT PROGRAM: Mayor Haila opened the public hearing. Since no one came forward to speak, he closed the public hearing.

Moved by Betcher, seconded by Nelson, to approve the amended FFY 2019 – 2022 Transportation Improvement Program.

Vote on Motion: 7-0. Motion declared carried unanimously.

AMENDMENT TO THE FEDERAL FISCAL YEAR 2019 - 2022 TRANSPORTATION IMPROVEMENT PROGRAM: Moved by Bibiloni, seconded by Betcher, to approve the draft amendment to the Federal Fiscal Years 2019 – 2022 Transportation Improvement Program and set July 9, 2019, as the date for the public hearing.

Vote on Motion: 7-0. Motion declared carried unanimously.

DRAFT FEDERAL FISCAL YEAR 2020 - 2023 TRANSPORTATION IMPROVEMENT PROGRAM (TIP): Moved by Beatty-Hansen, seconded by Betcher, to approve the Draft Federal Fiscal Years 2020 – 2023 Transportation Improvement Program and set July 9, 2019, as the date for the public hearing.

Vote on Motion: 7-0. Motion declared carried unanimously.

FINAL FY 2020 TRANSPORTATION PLANNING WORK PROGRAM: Mayor Haila opened the public hearing and closed it after no one came forward to speak.

Moved by Nelson, seconded by Betcher, to approve the final FY 2020 Transportation Planning Work Program for submission to the Iowa Department of Transportation.

Vote on Motion: 7-0. Motion declared carried unanimously.

PLANNING SERVICES CONTRACT FOR 2045 LONG RANGE TRANSPORTATION PLAN UPDATE: Moved by Betcher, seconded by Bibiloni, to approve the Planning Services Agreement to prepare the 2045 Long Range Transportation Plan with HDR Engineering Inc. of Omaha, NE.

Vote on Motion: 7-0. Motion declared carried unanimously.

**JOINT MEETING OF AMES HISTORIC PRESERVATION COMMISSION
AND AMES CITY COUNCIL**

The Ames City Council and Historic Preservation Commission met in joint session at 6:05 p.m. on the 28th day of May, 2019, in the City Council Chambers in City Hall, 515 Clark Avenue. City Council members present were: Bronwyn Beatty-Hansen, Gloria Betcher, Tim Gartin, David Martin, Chris Nelson. Historic Preservation Commission Members present were Peter Hallock, Lisa Hovis, Edith Hunter, Ted Grevstad-Nordbrook, and Susan Minks. Staff Members Steve Schainker and Ray Anderson were also present. Barry Snell, Historic Preservation Commission Member and Amber Corrieri, City Council Member were absent.

Historic Preservation Commission Member Peter Hallock reviewed the Historic Preservation Commission's activities report. He said they review certifications for appropriateness from the Historic District as well as free-standing or individual designated properties. Last year, they also reviewed Chapter 31 dealing with Historic Preservation which was revised five years ago. He said several approved Certificates of Appropriateness had expired without being completed. They followed up, and most contracts did get extended. There is no process in Chapter 31 of follow-up and review, so that's probably a change to the *Code* that they will be recommending.

Mr. Hallock said the big thing that has happened is the recognition of Downtown Ames as a National Historic District. There are several implications of that that may indicate additional things that need to be done. To educate people, they will schedule a presentation by the State Historic Preservation Office on funding possibilities that are opened up for Downtown property owners based on that designation. Mr. Hallock said they would also like to see a project to do some signage of the designation for Downtown.

Historic Preservation Commission Member Lisa Hovis said they are hoping to have two nice signs on opposite ends of Main Street that highlight the architectural significance of different buildings to tell a story, educate, and provide lessons to people who want to learn about Downtown. Mr. Hallock said they will probably be asking for some funding to be set aside to cover the signs. It won't be expensive, but it is not part of their current budget.

Mr. Hallock said they feel like it may be appropriate to create a more official link between the

Historic Preservation Commission and the Downtown Facade Improvement Grant Program since it will now be an official Historic District. They got an early start on the FY 2019 Workplan and have updated the Historic Preservation portion of the website. It now contains a lot more information, including the background information about all the historic sites, the two historic districts, and a lot more about the process. It now guides people into the certification process and gives people resources to some of the information sources for people to get involved. They feel that historic preservation fits in to the sustainability efforts that the City Council is making.

Historic Preservation Commission Member Ted Grevstad-Nordbrook quoted a section from a document called *Looking for the Greenest Building, Start with One that Already Exists*, which is a non-profit government document. “Building reuse offers greater environmental savings and demolition and new construction. It can take between 10-80 years for new energy-efficient building to overcome through efficient operations the climate change impacts created by its construction. The majority of building types in different climates across the US will take between 10-30 years to compensate for initial carbon impacts from construction.” If there are ways to work with other commissions, committees, and staff to achieve common goals in preservation, it would be their role to do that.

Mr. Hallock said the City does have a strategic Historic Preservation Plan. They are in the process of starting to look through that. There are some things on there that probably need to be updated.

City Council Member Gloria Betcher asked if the review is the plan that was approved or the plan report that accompanied the plan that was approved. It may be useful to review the plan report, specifically Chapter 5, which fits really well with the Comprehensive Plan. Mr. Hallock said it is the plan that was approved. He said they have accomplished a number of the action steps that were adopted within the last couple years. He said he doesn't have the perspective to know what has gone on for the past ten years, so they will be working with staff to bring something back to the Council in several months. Ms. Betcher said she is interested in knowing what ordinances they have that might be working against the preservation plan or efforts. She suggested looking at Chapter 31.

Mayor Haila asked what the time frame is on the signage. Ms. Hovis said six months out would be a reasonable time frame. Mr. Hallock said if funding could be found within this current budget, they could go ahead otherwise they would request it within the following year. City Manager Steven Schainker asked what the estimated cost would be. Ms. Hovis said it would be at most \$1,000 for each sign, so \$2,000 total. Mr. Schainker said this could be handled in the July 1 budget hearing and can be done at staff level if the Council is supportive of it.

Mayor Haila said regarding the HPC sustainability efforts and trying to work together with other committees, there is a sustainability task force that could provide a compatible dialogue. Public Relations Officer Susan Gwiasda said the task force was developed for a special project a couple years ago and has not been given a task or convened in a while, so they would need to update the list and reconvene.

Ms. Betcher asked if the Preservation Commission has an approved monuments or markers clause.

They had talked about requirements for historical markers of various kinds, but didn't have a policy in place. It might be something for the Commission to look at since it is possible that they may be asked to do other historic markers around the community. City Planner Ray Anderson said no policy has been created yet. Ms. Betcher said timing to Council and design issues would be part of a policy.

ADJOURNMENT: Moved by Martin to adjourn the Special Joint Meeting of the City Council and Historic Preservation Commission at 6:24 p.m.

REGULAR CITY COUNCIL MEETING

The Regular Meeting of the Ames City Council was called to order by Mayor Haila at 6:25 p.m. on May 28, 2019, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Bronwyn Beatty-Hansen, Gloria Betcher, Tim Gartin, Chris Nelson and David Martin. *Ex officio* Member Devyn Leeson was also present. Amber Corrieri arrived at 7:15 p.m.

PRESENTATION OF LEED CERTIFICATION FOR NEW WATER PLANT: Leed Certification presented by John Dunn, Director of Water and Pollution Control. They built the Water Plant with sustainability principles built into it. They approached the state with the concept of LEED certification and asked what they would get in exchange for doing that. The data points that went into getting the LEED certification were:

1. They have surpassed the goal to protect and preserve more than 50% of the project site using native vegetation.
2. Energy consumption is 19% below the LEED benchmark.
3. Water use is 28% below the LEED benchmark.
4. 88% of all construction waste was diverted away from the landfill.
5. 100% of the wood products used in the project complied with the requirements for the Forest Stewardship Council.
6. They provided low emitting vehicles for staff use.
7. They utilized low emissions adhesives, paints, and carpeting.
8. They had an innovative design that included using the cold ground water being brought in to the facility as a geothermal heat exchanger.

Mayor Haila accepted the plaque. Lyle Hammes, Water Plant Superintendent and Christina Murphy, Assistant Director, also were in attendance to present the award.

CONSENT AGENDA: Mayor Haila announced that the Council would be working from an Amended Agenda. Item No. 29. Resolution approving contract and bond for Power Plant Steam Turbine No. 7 Parts Procurement - Mechanical Dynamics & Analysis LLC, was pulled by staff.

Moved by Betcher, seconded by Beatty-Hansen to pull Item No. 19. Vacation and Sale of 100' x 7' public right-of-way adjacent to 635 Agg Avenue.

Vote on Motion: 5-0. Motion declared carried unanimously.

Moved by Betcher, seconded by Nelson, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting held May 14, 2019
3. Motion approving 5-day Class C Liquor License (June 15-19) - Gateway Hotel and Conference Center, 429 Alumni Lane
4. Motion approving 5-day Special Class C Liquor License with Outdoor Service (September 5-9) - Bethesda Lutheran Church, 1517 Northwestern Avenue
5. Motion approving 5-day Class C Liquor License with Outdoor Service (June 17-21) - Levy at Iowa State University, 1800 S 4th Street, pending receipt of satisfactory background checks
6. Motion approving Premise Update - Hy-Vee Food Store #1, 3800 W Lincoln Way
7. Motion approving Premise Update - Hy-Vee Food & Drugstore #2, 640 Lincoln Way
8. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class B Liquor License with Catering and Sunday Sales - Gateway Hotel and Conference Center, LLC, 2100 Green Hills Drive
 - a. Class C Liquor License with Class B Wine, Outdoor Service and Sunday Sales - Della Viti, 323 Main Street, #102
9. Motion rejecting bids for Ames Fire Station #2 Restroom Addition
10. RESOLUTION NO. 19-234 authorizing Mayor to sign 28E Agreement between Ames Community School District and City of Ames to share in the cost of two School Resource Officers
11. RESOLUTION NO. 19-235 approving FY 2019/20 Outside Funding contracts
12. RESOLUTION NO. 19-236 approving FY 2019/20 Commission On the Arts (COTA) Annual Grant contracts
13. RESOLUTION NO. 19-237 approving Amendment to Funding Agreement with Iowa Department of Agriculture and Land Stewardship for Grand Avenue Extension Project
14. RESOLUTION NO. 19-238 approving contract with Delta Dental of Iowa to provide administrative services for dental benefits effective July 1, 2019, through June 30, 2020
15. RESOLUTION NO. 19-239 approving contract with Wellmark for administrative services, specific and aggregate excess insurance, and access fees for health insurance benefits effective July 1, 2019, through June 30, 2020
16. RESOLUTION NO. 19-240 awarding 3-year Wellness Program Services contract, with option to renew for two additional one-year periods, to UnityPoint-Optimum Health Solutions of Peoria, Illinois, effective July 1, 2019, in the total amount of \$98,160 for first three years
17. Management Services to be performed for Ames Transit Agency:
 - a. RESOLUTION NO. 19-241 approving waiver of City's Purchasing Policy requirement for competitive proposals
 - b. RESOLUTION NO. 19-242 awarding contract to SRF Consulting Group, Inc., of Omaha, Nebraska, in an amount not to exceed \$40,000
18. Vacation and Sale of 100' x 7' public right-of-way adjacent to 635 Agg Avenue:
 - a. RESOLUTION NO. 19-243 setting June 11, 2019, as date of hearing on vacating right-of-way, subject to receipt of new Utility Easement
 - b. RESOLUTION NO. 19-244 setting July 9, 2019, as date of hearing on conveyance of vacated right-of-way to Steven and Sarah Walter

19. RESOLUTION NO. 19-245 approving Purchase Agreement with Kent E. and Joan E. Cooper for Parcel 11 (450 South Grand Avenue) in connection with South Grand Avenue Extension Project
20. Requests from ISU Homecoming Central Committee for Iowa State University Homecoming Parade on October 20, 2019:
 - a. Motion approving blanket Temporary Obstruction Permit
 - b. Motion approving blanket Vending License
 - c. RESOLUTION NO. 19-246 approving closure of portions of Pearle Avenue, 5th Street, Main Street, Clark Avenue, Burnett Avenue, Kellogg Avenue, Douglas Avenue, Depot Lot TT, City Hall Parking Lot M, City Hall Parking Lot MM from 12:00 p.m. to 4:00 p.m.
 - d. RESOLUTION NO. 19-247 approving closure of parking spaces along the Parade route from 12:00 p.m. to 4:00 p.m.
 - e. RESOLUTION NO. 19-248 approving usage of electricity
 - f. RESOLUTION NO. 19-249 approving waiver of electrical fees
 - g. RESOLUTION NO. 19-250 approving waiver of Vending License fee
21. Requests for Dock Dog Jumping Competition:
 - a. Motion approving blanket Temporary Obstruction Permit
 - b. Motion approving blanket Vending License
 - c. RESOLUTION NO. 19-251 approving waiver of Vending License fee
 - d. RESOLUTION NO. 19-252 approving closure of Burnett Avenue between 5th and 6th Streets
 - e. RESOLUTION NO. 19-253 approving closure of 14 metered parking spaces on Burnett Avenue and six metered parking spaces on 5th Street to provide parking for First National Bank employees who will be displaced due to the event
 - f. RESOLUTION NO. 19-254 approving waiver of parking meter fees in the total amount of \$90
 - g. RESOLUTION NO. 19-255 approving usage of electrical outlets
 - h. RESOLUTION NO. 19-256 approving waiver of electric fees in the total amount of \$6
22. RESOLUTION NO. 19-257 approving preliminary plans and specifications for Scaffolding and Related Services and Supply Contract for Electric Services; setting June 19, 2019, as bid due date and June 25, 2019, as date of public hearing
23. RESOLUTION NO. 19-258 awarding contract to ABM of Des Moines, Iowa, for custodial services at the Ames Public Library in the amount of \$91,541.70
24. RESOLUTION NO. 19-259 awarding contract to Ames Ford Lincoln of Ames, Iowa, for five Hybrid Utility vehicles in the amount of \$179,290; exercising Option #1: Hybrid Utility with safety features for \$37,874.20, and Option #2: Public Safety (Fire) Hybrid SUV for \$35,628.20
25. RESOLUTION NO. 19-260 awarding contract for FY 2019-20 Electric Distribution Line Clearance Program to Wright Tree Services of Des Moines, Iowa, for hourly rates and unit prices in an amount not to exceed \$327,437, subject to receipt of the required Performance Bond
26. RESOLUTION NO. 19-261 awarding contract for Right-of-Way Tree Trimming and Removal Program for Parks & Recreation Department to Pitts Lawn & Tree Service of Huxley, Iowa, in an amount not to exceed \$85,000
27. RESOLUTION NO. 19-262 approving contract and bond for Power Plant Steam Turbine No. 7 Parts Procurement - Argo Turboserve Corporation

28. RESOLUTION NO. 19-263 approving renewal of contract with MCG Energy Solutions, LLC, of Minneapolis, Minnesota, for MISO Market Participant Services for one-year period from July 1, 2019, through June 30, 2020, in the total amount of \$129,857.28
29. RESOLUTION NO. 19-264 approving renewal of contract with Burns & McDonnell of Chesterfield, Missouri, for Professional Services for Power Plant Fire Risk Mitigation for one-year period from July 1, 2019, through June 30, 2020, in an amount not to exceed \$50,000
30. RESOLUTION NO. 19-265 accepting completion of 2017/18 CDBG Public Facilities Neighborhood Infrastructure Improvements Program (Tripp Street Extension from Wilmoth Avenue to State Avenue)

Roll Call Vote: 5-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

VACATION AND SALE OF 100' x 7' PUBLIC RIGHT-OF-WAY ADJACENT TO 635 AGG AVENUE: City Council Member Gloria Betcher asked if there is a reason that the City has never done a public walkway there as designated in the plat. John Joiner said the plat dates back to the early 1930s and he doesn't know why it hadn't proceeded. Ms. Betcher asked if they are selling one part, why aren't they making arrangements to sell the rest of it. Mr. Joiner said it's by homeowner request. In this case, the owners want to build a garage, and to meet the proper setbacks, they need to obtain that seven-foot strip.

Ms. Betcher asked if the property at 635 Agg is going to have another curb cut since it's getting a new garage. Mr. Joiner said they will move their existing driveway and put a new curb and gutter there and have just one new driveway and curb cut for the new garage. He said since this is a single family, there is no trigger to require sidewalk installation. He said this is the corner of Cessna and Agg and there is sidewalk on the other side of Cessna and on the other side of Agg. Ms. Betcher asked if there was a reason they weren't selling the other portion. Mr. Joiner said they can ask surrounding neighbors but typically they wait for them to request it.

Moved by Betcher, seconded by Beatty-Hanson to approve item 19.

- a. RESOLUTION NO. 19-243 setting June 11, 2019, as date of hearing on vacating right-of-way, subject to receipt of new Utility Easement
- b. RESOLUTION NO. 19-244 setting July 9, 2019, as date of hearing on conveyance of vacated right-of-way to Steven and Sarah Walter

Roll Call Vote: 5-0. Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

PUBLIC FORUM: Mayor Haila opened Public Forum. Nobody came forward to speak, so he closed Public Forum.

APPROVAL OF FY 2019/20 ASSET CONTRACTS: Moved by Gartin, seconded by Martin, to adopt the RESOLUTION NO. 19-266 approving the ASSET agency contracts for FY 2019/20, with the exception of the contracts with HIRTA and Lutheran Services in Iowa.

Ms. Betcher asked why one dollar was being removed from the volunteer center. Mr. Phillips said it was because the volunteers allocated everything they had.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

REVISIONS TO ASSET POLICIES AND PROCEDURES: Moved by Gartin, seconded by Betcher, to adopt the RESOLUTION NO. 19-267 approving the recommended changes to the ASSET Policies and Procedures.

Roll Call Vote: 5-0. Resolution declared carried unanimously.

ASSET JOINT FUNDER MEETING NEXT STEPS: Mr. Phillips reviewed the five consistent themes staff believes emerged from the discussion between the City Council and other ASSET funders to discuss the funders' expectations and vision for the ASSET partnership. The first one related to the idea that ASSET shouldn't be the sole source of funding for a program; that there should be other areas of support from other community partners. The second was a notion of using a community needs assessment as justification for telling us which way to go for services and priorities in the future. The third involved a conversation to establish shared funder priorities or themes and consistent language about the different services that ought to be funded. The fourth was identifying what the core services are that ASSET exists to support and provide. The fifth was to identify among the funders, shared outcomes and measurements that the Council would like to see the services held against so they can get a better sense of the impact those services are making. He said this will not change the upcoming ASSET funding cycle, this might be a multi-year effort to accommodate the changes.

Mr. Phillips said once there is consensus among the funders regarding these overall concepts, ASSET staff will use them to develop more substantial action steps, including alternatives, analysis of those alternatives, and recommendations to achieve the objectives outlined in the themes. Once alternatives are determined, the funders will have an opportunity to decide whether to implement changes to the ASSET process or to leave these aspects of ASSET as-is. He said this isn't something that will happen overnight to cause changes to the upcoming ASSET cycle. He said this would be evaluated on how they would study those concepts and how they would be integrated over a multi-year project. This is the start of a lot of future conversations on how ASSET should move forward in the future. Ms. Betcher asked what the other organization is that receives money from CICS. Mr. Phillips said it was Burke Homes.

City Council Member David Martin asked if the statement that funding should be used as a source of last resort is a reflection of a long-standing understanding among ASSET. Mr. Phillips said this reflects various funders' thoughts of ASSET historically, but hasn't been identified as a core principal of how they want ASSET funding to be used.

Ms. Beatty-Hansen said she read this more as a desire to have the agencies strong enough to draw from several sources so they are not the sole funder of them. Mr. Gartin said Amber Corrieri has made that point several times. Mr. Martin said that is a goal he would support as well.

Mr. Martin said one of the issues is whether they should categorically say that if the state or government removes a funding line altogether, then they are simply not going to be there. He wanted to draw a distinction between two scenarios: an agency whose own allocation of funding has been dropping due to reasons specific to that agency, they aren't there to pick up the slack, but if there is an entire category of services that's being systematically reduced or eliminated, it's something they should be willing to look at. Ms. Beatty-Hansen agreed. Ms. Betcher said there has been a distinction made between those entities that are delinquent in providing services or following up on paperwork so their money got reduced because of not meeting requirements versus some program that has been cut entirely that had nothing to do with what the organization did.

Mayor Haila opened public comment. Nobody came forward to speak, so he closed public comment.

Mayor Haila asked if it is more or less a minor amount of word smithing to have a qualifier to allow an option but would still be the same. Mr. Phillips said it would not invoke going back to the county for their input, but they would communicate that the sentiment of the council is slightly different than what was captured in the memo and give them an opportunity to respond. Mr. Martin said that would address his concerns. Ms. Betcher asked if they are voting to approve the memo. Mr. Phillips said the memo is the piece that all the funders have.

Ms. Beatty-Hansen said she likes the proposed changes to add conditional words. Mayor Haila advised the options are to agree with the themes and wish ASSET to proceed with an action plan to align with these concepts or disagree with the themes and change them, or have another joint funders meeting.

Moved by Martin, seconded by Beatty-Hansen to confirm the themes and direct staff to work with the other funders to develop an action plan to align the ASSET process with these concepts with an interpretation of their conversation to address the language issues that they discussed.

Vote on Motion: 5-0. Motion declared carried unanimously.

HEALTHY LIFE CENTER: City Manager Steve Schainker reviewed the information on the estimated cost of the project. He said the amount of bond revenue needed to fund the project is \$28,609,488 and not to exceed \$29,065,000. The estimated deficit for the Healthy Life Center is projected to be about \$405,000 in the first year. It should be noted that the Finance Director had already included the impact of the \$455,552 issuance costs when previously calculating the estimated tax impact on our property owners. Therefore, the estimated tax impact remains as previously reported on April 23, 2019, of 78 cents per \$100,000 of assessed property valuation. Mr. Schainker advised that Finance Director Duane Pitcher had worked with the City's Bond Attorney to provide the wording for the bond referendum should the City Council decide to proceed with this project.

Mr. Schainker explained that the State Legislature recently passed a new law that changes the dates that local governments can call for special elections, like the one contemplated for the Healthy Life Center. According to the new law, if a city certifies a special election prior to July 1, 2019, a city will have the option to hold an election on August 6, 2019, or September 10, 2019. Given the fact that the negotiation process with the other entities involved in this project has taken longer than

anticipated, it seems advisable to schedule the special election for September 10, 2019, rather than on August 6, 2019, as originally planned. This change in the date will be appreciated by those who are concerned that we were planning to schedule this important election on August 6, 2019, which is a time when many of the residents are out of town on vacation.

City Manager Schainker summarized the risks the City Council must clearly understand and be willing to accept before proceeding further with this project. He said staff has prepared contracts for the three funding partners to approve. Should MGMC and/or Story County not agree to extend their contracts with the City past the initial term of their agreements, the loss of these contributions would significantly impact the Ames taxpayer who would be responsible for covering their share of the deficit. Since the current estimates do not reflect any additional costs to deal with environmental issues, University officials have been asked to supply any copies of studies similar to an environmental study that have been performed on the proposed site.

The three funding partners have agreed to transmit their contribution towards the cost to construct the Healthy Life Center only after the City takes action to approve a contract to construct the building. In order to take bids on the project, an architectural/engineering firm will first have to create design plans. In the unlikely event that the bids received exceed our construction budget by so much that a decision is made not to proceed with the project, the City will be responsible for the total cost of this design work.

Ex Officio Devyn Leeson asked if Legislature passed a cap on property tax increases. Mr. Schainker said it does not impact debt service, or payment of the bonds; it will impact the operating deficit that is included in the general levy. He said it would be difficult for them to come within the 2% cap of revenues, which is required under the new law. He said an extra hearing with a super-majority vote from the Council would be needed to pass the actual budget.

City Council Member Amber Corrieri arrived at 7:15 p.m.

Mr. Leeson commented that this project should help with childcare services that are extraordinarily lacking in the City. Mr. Schainker clarified that the Healthy Life Center only provides a drop off center for participants; it is not a separate childcare service.

Mr. Martin asked if the super majority means two-thirds which would be four out of six votes. Mr. Schainker asked for clarification from staff. Duane Pitcher said they just got the bill, but it did come out two-thirds majority which is a super majority for most, but not for the City because they have six, but it is four out of six. Mr. Martin asked what would happen if they move forward with Option 1 and something goes wrong with the contracts in the next few days, would they be able to unwind. Mr. Schainker said he doesn't believe they will fall apart. The only contract outstanding is the University, but it won't know until August if the Board of Regents approves it. He said the last day to certify to get on the September 10 meeting is July 26. This authorizes the City to issue the bonds, but does not force them to move ahead with the contract or issue the bonds.

Mayor Haila opened public comment. Seeing none, he closed public comment.

Moved by Gartin, seconded by Nelson, to adopt RESOLUTION NO. 19-268 to move ahead with the Healthy Life Center project by passing a resolution that allows the City to hold a referendum to enter into a loan agreement and issue general obligation bonds in an amount not to exceed \$29,065,000 for the purpose of paying the cost for constructing and equipping the Healthy Life Center, and setting the date of the bond referendum for September 10, 2019.

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

An informational brochure about the Healthy Life Center was passed out to the Council to review before being sent to the printer. Mr. Gartin asked if the website will incorporate the new material. Parks & Recreation Director Keith Abraham said it will be kept up to date and information on where people can vote will be provided on the website.

REFERRAL OF REQUEST FOR A SECOND ROUND OF CAMPUSTOWN FAÇADE GRANT APPLICATIONS FOR FY 2018-19: Planning and Housing Director Kelly Diekmann reviewed the request from Mathew Goodman to initiate a second round of façade grant applications for this fiscal year. City Council previously referred the matter to a future agenda for discussion.

Ms. Betcher asked if the \$120,000 balance was from two years of funding. Mr. Diekmann said it's funded at a rate of \$50,000 per year, so at that rate, as of July 1, 2019 there would be \$170,000 available.

Mayor Haila opened public input. Seeing none, he closed public input.

Moved by Beatty-Hansen, seconded by Corrieri, to reopen the facade grant application window.

Mr. Gartin said he is opposed to this. He said by doing this, they set a precedent for other situations where someone has a project; and if there aren't any takers, they are reopening the process. The delay is short-term until the next round comes around. The applicant is a former City Council Member and he hopes they aren't doing things just because of that. Ms. Beatty-Hansen said Mr. Goodman asked on behalf of someone, not for himself. Mr. Gartin said there is no emergency justification for this request, so he recommends they stay with the procedures they currently have.

Mr. Diekmann confirmed for Ms. Betcher that they have two rounds for Downtown and only one for Campustown. Ms. Beatty-Hansen said she would feel differently if the funding wasn't available, but they are available to help businesses in Campustown and staff says it won't push anything else off their to-do list. Mr. Gartin said it's only a few more months for the next schedule. He said if they wanted to change the policy to have two separate rounds, he would be supportive of making a change to the policy, but not making an exception to this.

City Council Member Chris Nelson asked if they should reconsider the whole program with the amount of roll-over they have. Ms. Betcher said she agrees with Ms. Beatty-Hansen because there are two interested businesses, and they should revisit the whole policy. She said they could look at the question of business improvement grants for Downtown as well as for Campustown.

Mr. Martin said they could change it to say that in the Campustown program, they award at most two rounds. Mr. Gartin said if they allow one exception, they should allow others. Ms. Betcher said since they have two rounds for Downtown, they should have two rounds for Campustown.

Vote on Motion: 5-1. Voting aye: Betcher, Martin, Nelson, Beatty-Hansen, and Corrieri. Voting nay: Gartin. Motion declared carried.

PUBLIC AND EMPLOYEE SAFETY ON CITY PROPERTIES: Chief Cychosz reviewed the report. He said following the death of Celia Barquin Arozamena, representatives from various City departments have been having discussions and taking actions to improve the overall safety of citizens and staff on and around City property. He said they talked a lot about vegetation management, enhanced patrol and staff presence in the park, and expanding the safety walk program. Another important area of action is a more coordinated effort to reach out to the homeless in the community. Crime prevention through environmental design, security cameras, lighting, and an internal safety hotline have also been discussed.

Parks and Recreation Superintendent Joshua Thompson said they reviewed the site where the incident took place. They reduced the vegetation in the area and rented equipment and were able to amend the budget to purchase the necessary equipment. He said they developed a spreadsheet to see how often they were at the parks and to improve getting to the areas on a regular basis.

Ms. Beatty-Hansen asked if they use a heat map for instances of crime or undesirable behavior to determine what the hot spots are. Mr. Cychosz said they do on a monthly and sometimes weekly basis for burglaries; personal assaults don't happen enough to warrant a heat map. Ms. Beatty-Hansen asked if the internal hotline to the risk manager needs council direction to be done or if they just do it. Mr. Cychosz said they don't need council direction for that. She also asked if there was a system to allow employees a whistle-blower clause to protect employees from potential retaliation.

Mr. Leeson said he has appreciated the response from the City to make sure there isn't a stigma behind the homeless populations. He asked what the changes are that are being provided to help the homeless with more resources. Mr. Cychosz said the ERP has space and resources to rent hotel rooms. The challenge is starting the conversation and finding the campers to be able to communicate with them to get them the help they need.

Further discussion was had regarding the homeless camp locations on City property, Iowa State property, and private properties.

Moved by Betcher, seconded by Corrieri to direct staff to review the Zoning Code to evaluate the landscaping requirements for their compatibility with Crime Prevention Through Environmental Design (CPTED) principles.

Mr. Nelson said the Chief brought up an interesting point that there are places where this may work and places where this may not work. He will be looking to them to come back with those types of things as a blanket wouldn't make as much sense as a targeted effort.

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

Mr. Martin asked to know what the approach is to assess the effectiveness of a change like this. Is this something they can expect to have data on in a few years or is it more theoretical than that. Mr. Cychosz said it is a situation that is hard to prove something didn't happen. For a community of this size, it is difficult to demonstrate the impact of those CPTED calls. He said the call volume in the facilities where this has been implemented is significantly lower than in similar cities.

Moved by Betcher to direct staff to report on the pros and cons of developing this sort of requirement for vegetation on private property to be managed to reduce isolated and potentially dangerous areas. Motion failed due to lack of a second.

Ms. Beatty-Hansen said she isn't sure that there is a real need. Mr. Gartin said he doesn't want to go so far in response to this as to outlaw trees and shrubs in Ames.

FINAL AMENDMENT TO FISCAL YEAR 2018/19 ADJUSTED BUDGET: Mr. Pitcher said item 37(b) was added to list out the items going forward.

Mayor Haila opened the hearing. Seeing no one who wanted to comment, he closed the public hearing.

Moved by Nelson, seconded by Gartin, to adopt RESOLUTION NO. 19-269 amending the Fiscal Year 2018/19 budget by increasing revenues by \$635,404 and increasing expenditures by \$1,136,654.

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

FY 2018/19 AND FY 2019/20 TRANSFERS BETWEEN FUNDS: Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 19-270 approving the Fiscal Year 2018/19 budgeted transfers of \$23,488,878 and the Fiscal Year 2019/20 budgeted transfers of \$23,371,112.

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

POWER PLANT UNIT 7 TURBINE GENERATOR OVERHAUL PROJECT - REPORT OF BIDS: Mayor Haila opened the hearing and closed it after nobody came forward to speak.

Moved by Betcher, seconded by Gartin, to accept the report of bids and delay award for the Unit 7 Turbine Generator Overhaul Project until Power Plant staff is able to perform a thorough review and determine a recommended company to award the contract to.

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

POWER PLANT BOILER MAINTENANCE SERVICES CONTRACT REPORT OF BIDS: Mayor Haila declared the public hearing opened. He declared it closed after there wasn't anyone wishing to speak.

Moved by Betcher, seconded by Nelson, to accept the report of bids and delay award until Power Plant staff is able to perform a thorough review and determine a recommended company to award the contract to.

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

2017/18 DOWNTOWN STREET PAVEMENT IMPROVEMENTS PROJECT – MAIN STREET ALLEYS (DUFF AVENUE – DOUGLAS AVENUE, KELLOGG AVENUE – BURNETT AVENUE): The public hearing was opened by Mayor Haila. He then closed the public hearing since no one asked to speak.

Ms. Betcher asked Municipal Engineer Tracy Warner if they are going to put in any pervious pavement in any of the alleys. Ms. Warner said they have done it in other parts, but have gotten mixed reviews on it breaking up and not being as solid. With all of the old foundations, they will forgo it on this project.

Moved by Gartin seconded by Beatty-Hansen, to adopt RESOLUTION NO. 19-271 accepting the report of bids for the 2017/18 Downtown Street Pavement Improvements Project – Main Street Alleys (Duff Avenue – Douglas Avenue, Kellogg Avenue – Burnett Avenue), approving the final plans and specifications for this project, and awarding the 2017/18 Downtown Street Pavement Improvements Project – Main Street Alleys (Duff Avenue – Douglas Avenue, Kellogg Avenue – Burnett Avenue) to ConStruct Inc. of Ames, Iowa in the amount of \$211,973.20.

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

TEAGARDEN AREA DRAINAGE IMPROVEMENTS: Ms. Warner said they are still negotiating the easements and are asking to continue the hearing until the next meeting; the bids are good for 60 days.

Moved by Gartin, seconded by Betcher, to continue the hearing until June 11, 2019.

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

ORDINANCES:

RENTAL CAP ORDINANCE REPEAL: Moved by Gartin, seconded by Beatty-Hansen, to approve on first reading the Ordinance repealing the rental cap code language. This ordinance will remove all *Code* sections in Chapter 13 relating to the rental percentage cap.

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

DISPOSITION OF COMMUNICATIONS TO COUNCIL:

Email from Kyle Poorman dated May 3, 2019 RE: Request to consider a program where the full cost or nearly full cost of a yearly CyRide pass or Dial-A-Ride was available for disabled low-income Ames residents.

Mr. Martin said they can take their concerns to an ASSET funder. Ms. Corrieri said someone should respond to him to make him more aware of some of the programs that are already in existence. She said other programs already pay for their clients. Mayor Haila advised that he will write the letter to Mr. Poorman.

Moved by Betcher, seconded by Martin, to direct the Mayor to respond to Mr. Poorman and express the City Council's appreciation.

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

Memo from Planning and Housing Department dated May 23, 2019 RE: Referral of Scenic Development text amendment request regarding Zoning Ordinance Sec. 29.401(5) Multiple Buildings on Single Lots.

Moved by Betcher, seconded by Nelson, to place this item on a future agenda.

Mr. Diekmann said if they are comfortable with what they described in Option 2 or Option 1, it doesn't need to go on an agenda. It would be an applicant-initiated text amendment. If the Council wants to discuss more options or the depth of those options, they should put it on a future agenda. He said this is a gatekeeper function where they authorize someone to make an application. He said Option 2 serves more customers than Option 1, so staff would be in favor of that option.

Motion withdrawn.

Moved by Betcher, seconded by Nelson, to authorize the applicant to apply for a text amendment that would update both residential and commercial use standards for multiple buildings on a lot, except for one- and two-family dwellings.

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

COUNCIL COMMENTS:

Ms. Betcher said she, Bronwyn Beatty-Hansen, and Tasheik Kerr had attended the International Town & Gown Association Conference. One thing they heard about was an effort by Iowa City to try to ensure that there would not be discrimination in housing based on source of income. They have added a protected class in their Human Rights Ordinance, which is no discrimination based on source of income.

Moved by Betcher, seconded by Corrieri, to have the Human Relations Commission investigate the possibility of adding source of income as a protected class under the City's Human Rights Ordinance.

Mr. Gartin asked to take some time to think about a major change. He would be hesitant to approve this. Ms. Betcher said she thought that was what the commission was for. Mr. Gartin said he would prefer to have more discussion on it first. Ms. Betcher said this is just an idea and the Human Relations Commission would tell Council if they think it's not a good idea. She said they should lead

on this if it's something they are interested in.

Assistant City Manager Brian Phillips said the Human Relations Commission is going to meet next week to work on their strategic planning for the next year. Council recently passed the third reading of an Ordinance to remove the investigative function of the Human Relations Commission from the Municipal Code, so they don't have that particular enforcement mechanism for this kind of an Ordinance if this is something they want to pursue. Mr. Lambert said they need to think about how they would enforce that.

Ms. Betcher said she wants to know what Iowa City is doing and to see if our Human Relations Commission thinks it's something Ames should do. Mayor Haila asked if it's something that staff can do or if it needs to go through the Commission. Mr. Phillips said if it's a question about whether they should be doing this, that might be more in the realm of the Human Relations Commission to figure out the impact in the community. If it's just a question about what Iowa City's Ordinance do and how does their enforcement work, that would just be a staff report. Ms. Betcher said she does want the perspective of the Human Relations Commission on this subject.

Vote on Motion: 5-1. Voting aye: Betcher, Martin, Nelson, Beatty-Hansen, and Corrieri. Voting nay: Gartin. Motion declared carried.

Moved by Betcher, seconded by Beatty-Hansen, to investigate what is being done elsewhere to hold landlords accountable for nuisance parties.

Mr. Schainker clarified that it may be more like nuisance issues like trash and snow removal. Ms. Corrieri said she would be interested in adding all of those nuisance issues.

Motion withdrawn.

Moved by Corrieri, seconded by Betcher, to investigate what is being done elsewhere to hold landlords accountable for nuisance violations.

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

Mr. Martin said they received a letter from Leslie Kawaler on behalf of staff on May 15th concerning a topic that is relevant to the June 18th workshop on rental housing.

Moved by Martin, seconded by Betcher, to refer to staff to keep the letter in mind for preparation of the June 18 workshop.

Ms. Corrieri said if they refer to staff, they should assess it and provide feedback. Mr. Martin said he just wanted to make sure the letter was seen.

Motion withdrawn.

Mr. Martin referred to the earlier discussion on the Campustown Facade Program. He said there is

enough uniqueness in the circumstance that they would be in a good position to deal with it if it came up again.

Mr. Nelson said they received an email in March from Tom Randall on the property on the southeast corner of 13th and Grand.

Moved by Nelson, seconded by Beatty-Hansen, to get the staff report that was produced the last time the City looked at that intersection to get some background about whether or not they want to move forward with any other sort of direction on that property.

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

Ms. Beatty-Hansen said she just wanted to mention a few items she brought back from the International Town & Gown Conference. She said she is interested in getting a memo from staff at some point on the concept of micro-mobility, bike share programs, and electric scooters. She would like information on what might be appropriate for Ames and what data they might want to collect. Ms. Beatty-Hansen commented she also is interested in the concept of “Banning the Box” in Ames. She clarified that “Banning the Box” refers to the question on a job application about a prior criminal charge; that question being present on an application systematically maintains a discrimination aspect.

Moved by Gartin to adjourn the meeting at 8:43 p.m.

Rachel Knutsen, Recording Secretary

John A. Haila, 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:	May 2019	
For City Council Date:	June 11, 2019	

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)
Electric Services	15kV Aluminum Cable	1	\$75,756.00	WESCO Distribution	\$0.00	\$1,464.62	D. Kom	AM
Electric Services	Asbestos Maintenance Contract for Power Plant	2	\$80,000.00	ESA, Inc.	\$130,000.00	\$45,000.00	B. Phillips	KS
Public Works	2016/17 Traffic Signal Program (6 th /Brookridge)	1	\$236,676.13	Voltmer, Inc.	\$0.00	\$4,974.55	J.Joiner	MA
Public Works	2017-18 South Duff Avenue Improvements	4	\$2,374,992.00	Con-Struct, Inc.	\$-(15,376.24)	\$-(1,979.80)	D. Pregitzer	MA
			\$		\$	\$		
			\$		\$	\$		

Name of Applicant: Nicole Schneider

Name of Business (DBA): The Whimsical Wine Trailer

Address of Premises: 1407 S University Blvd

City Ames **County:** Story **Zip:** 50011

Business (515) 291-8834

Mailing 710 2nd ave.

City Collins **State** IA **Zip:** 50055

Contact Person

Name Nikki Schneider

Phone: (515) 291-8834 **Email** thewhimsicalwinetrailer@gmail.com

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

Term:5 days

Effective Date: 06/27/2019

Expiration Date: 01/01/1900

Privileges:

- Class B Beer (BB) (Includes Wine Coolers)
- Class B Native Wine Permit
- Class C Native Wine Permit (On-Premise)
- Outdoor Service

Status of Business

BusinessType: Sole Proprietorship

Corporate ID Number: XXXXXXXXXX **Federal Employer ID** XXXXXXXXXX

Ownership

Nicole Schneider

First Name: Nicole **Last Name:** Schneider

City: Ames **State:** Iowa **Zip:** 50055

Position: Owner

% of Ownership: 100.00% **U.S. Citizen:** Yes

Benjamin Schneider

First Name: Benjamin **Last Name:** Schneider

City: Ames **State:** Iowa **Zip:** 50055

Position: Husband

% of Ownership: 0.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company: Illinois Union Insurance Company

Policy Effective Date: 06/27/2019

Policy Expiration 07/02/2019

Bond Effective

Dram Cancel Date:

Outdoor Service Effective

Outdoor Service Expiration

Temp Transfer Effective

Temp Transfer Expiration Date:

Name of Applicant: Great Caterers of Iowa, Inc.

Name of Business (DBA): Great Caterers of Iowa

Address of Premises: 2516 Mortensen Road

City Ames **County:** Story **Zip:** 50011

Business (515) 264-8765

Mailing 1480 Sloans Way

City Pleasant Hill **State** IA **Zip:** 50327

Contact Person

Name Joni Bell

Phone: (515) 264-8765 **Email** joni@greatcaterersofiowa.com

Classification Class C Liquor License (LC) (Commercial)

Term:5 days

Effective Date: 06/28/2019

Expiration Date: 01/01/1900

Privileges:

Class C Liquor License (LC) (Commercial)

Status of Business

BusinessType: Privately Held Corporation

Corporate ID Number: XXXXXXXXXX **Federal Employer ID** XXXXXXXXXX

Ownership

Joni Bell

First Name: Joni **Last Name:** Bell

City: Pleasant Hill **State:** Iowa **Zip:** 50327

Position: Owner

% of Ownership: 100.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company: Illinois Union Insurance Company

Policy Effective Date: 06/28/2019 **Policy Expiration** 07/03/2019

Bond Effective **Dram Cancel Date:**

Outdoor Service Effective **Outdoor Service Expiration**

Temp Transfer Effective **Temp Transfer Expiration Date:**



MEMO

Item # 8

To: Mayor John Haila and Ames City Council Members
From: Lieutenant Tom Shelton, Ames Police Department
Date: May 12, 2019
Subject: Beer Permits & Liquor License Renewal Reference City Council Agenda

The Council agenda for June 11, 2019 includes beer permits and liquor license renewals for:

- Class C Liquor License with Sunday Sales - Fuji Japanese Steakhouse, 1614 S Kellogg Ave. # 101
- Class C Liquor License with Outdoor Service and Sunday Sales - Old Chicago Pizza and Taproom, 1610 S. Kellogg Ave
- Class E Liquor License with Class B Wine, Class C Beer and Sunday Sales - Casey's General Store #2560, 3020 S Duff Ave
- Class A Liquor License with Outdoor Service and Sunday Sales - Green Hills Residents' Association, 2200 Hamilton Drive, Suite 100
- Class E Liquor License with Class B Wine, Class C Beer and Sunday Sales - Kum & Go # 214, 111 Duff Ave
- Class E Liquor License with Class B Wine, Class C Beer and Sunday Sales - Kum & Go #200, 4510 Mortensen Road
- Class E Liquor License with Class B Wine, Class C Beer and Sunday Sales - Kum & Go #216, 203 Welch Ave
- Class E Liquor License with Sunday Sales - MMDG Spirits, 126A Welch Avenue
- Special Class C Liquor License with Class B Wine, Outdoor Service and Sunday Sales - Wheatsfield Cooperative, 413 Northwestern
- Class C Liquor License with Catering and Sunday Sales - Texas Roadhouse, 519 South Duff Avenue
- Special Class C Liquor License with Sunday Sales - Hickory Park Restaurant Co., 1404 South Duff

A review of police records for the past 12 months found no liquor law violations for any of the above locations. The Ames Police Department recommends renewal of licenses for all the above businesses.

COUNCIL ACTION FORM

SUBJECT: APPROVAL OF FY 2019/20 ASSET CONTRACTS WITH LUTHERAN SERVICES OF IOWA AND HIRTA

BACKGROUND:

On May 28, the City Council approved contracts with ASSET human services agencies for FY 2019/20, with the exception of contracts with Lutheran Services in Iowa and HIRTA. Signed contracts with those agencies have now been returned, and are presented for City Council approval.

	<u>Current</u> <u>FY 2018/19</u>	<u>Allocation</u> <u>FY 2019/20</u>	<u>Change</u>
HIRTA	\$41,000	\$39,988	-\$1,012
Lutheran Services in Iowa	\$10,700	\$5,700	-\$5,000

ALTERNATIVES:

1. Approve the ASSET agency contracts for FY 2019/20 with HIRTA and Lutheran Services in Iowa
2. Do not approve ASSET contracts with these agencies

MANAGER'S RECOMMENDED ACTION:

The City Council has allocated funds for human services activities through the ASSET hearing process and the approval of the City's FY 2019/20 budget. The ASSET-funded organizations have signed and returned their contracts for services. With the approval of these two contracts, all City-funded ASSET agencies have now completed contracts for their budgeted funds.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby approving the ASSET agency contracts for FY 2019/20 with HIRTA and Lutheran Services in Iowa.

COUNCIL ACTION FORM

SUBJECT: REVISIONS TO PURCHASING POLICIES AND PROCEDURES

BACKGROUND:

The Purchasing Division service objectives include 1) recommending policies and procedures that comply with applicable laws and regulations, 2) protecting the interests of the City, and 3) enabling City programs to provide cost-effective services to the public. The Purchasing Division maintains a Purchasing Policies and Procedures Manual to assist in achieving these goals.

Revisions to the Purchasing Policies and Procedures Manual are proposed to update the public improvement bid thresholds, add Federal Uniform Guidance Procurement Standards regulations, and modify the Conflict of Interest Policy. A summary of proposed policy and procedure revisions is attached. Two sections have a majority of the proposed policy and procedure revisions:

Section 6: Bids, Quotations, and Proposals:

The *Code of Iowa* Section 314.1B establishes horizontal and vertical bid threshold subcommittees that meet every other year to establish the bid and quotation thresholds for city and county public improvement projects. On October 23, 2012, the City Council approved to revise the City purchasing policy to follow the statutory limits set by these subcommittees.

The City's thresholds are currently:

- Competitive Bids for Horizontal Construction: \$ 70,000
- Competitive Bids for Vertical Construction: \$135,000
- Competitive Quotes for Vertical Construction: \$ 75,000

The state's subcommittees have met and changed the bid and quote thresholds to the following:

Year Effective	Threshold	Horizontal Infrastructure Cities > 50,000 population	Vertical Infrastructure Cities > 50,000 population
2019	Competitive bid	\$69,000	\$139,000
2019	Competitive Quote	N/A	\$ 77,000

Therefore, the threshold established by the State subcommittees for horizontal infrastructure bids has been decreased by \$1,000, to \$69,000; the threshold for vertical infrastructure bids has been increased by \$4,000, to \$139,000; and the threshold for vertical infrastructure quotes has been increased by \$2,000, to \$77,000.

As noted above, the City Council previously directed staff to follow the statutory limits set by these subcommittees. Increased bid thresholds allow smaller projects to be bid without the need for a bid bond or a published public notice to bidders, thus eliminating these costs to the project. The performance bond will remain a requirement at \$25,000, and the specifications and drawings will be required to be stamped by a registered architect, engineer, or landscape architect if the project is determined to be a public improvement, regardless of the estimated value of the work.

The Federal Uniform Guidance Procurement Standards regulations for bids for the purchase of materials and/or services funded by Federal awards are added to the Special Conditions of Section 6: Bids, Quotations and Proposals. **The inclusion of the Uniform Guidance Procurement Standards in the City's Purchasing Policies is required and must be approved by the City Council.**

Section 13: Conflict of Interest Policies and Code of Ethics:

The Conflict of Interest policy for related parties will be modified to include "member of household" to the City's definition of a conflict of interest and establish a defined reporting mechanism to improve the reporting and tracking of potential Conflict of Interest vendors, and will be completed by all employees and officers annually.

Other Changes:

Several other sections have only minor clarifications or changes. These include:

- Moving the location where CyRide exemptions are listed to make the exemption clearer
- Increasing the value of capital purchases from \$2,500 to \$5,000.

The City currently only tracks assets over \$5,000 for the purpose of depreciation and reporting on the City's financial reports. However, the Purchasing Policies have continued to describe capital assets as those purchases above \$2,500. Changing this amount to \$5,000 will align the Purchasing Policies with the City's actual depreciation and financial reporting practices

- Revising the detailed element-object numbers that categorize purchase types.

- Revising the name of a cooperative buying organization to which the City belongs.
- Adding language to comply with federal regulations for award of federally funded projects.
- Reflecting the decommissioning of the Purchasing intranet site and transition to the cloud-based Purchasing community.

ALTERNATIVES:

1. Approve revisions to the purchasing policies and procedures to become effective June 11, 2019. Purchasing staff will begin training users on policy and procedure changes.
2. Do not approve revisions to the purchasing policies and procedures.

MANAGER'S RECOMMENDED ACTION:

The proposed revisions to the purchasing policies and procedures reflect new statutory limits and current practices on construction projects for public entities, the addition of the Federal Uniform Guidance Procurement Standards regulations and changes to the reporting and definition of a Conflict of Interest. These revisions will improve the efficiency of the City's procurement process and administration of construction projects, and improve control and reporting for the Purchasing Division.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving revisions to the purchasing policies and procedures to become effective June 11, 2019.

SUMMARY OF 2019 CHANGES TO PURCHASING POLICIES

Section 1: Organization, Purpose, and General Guidelines:

Section	Subject	Description of Change	Comments
1.04 B	Exceptions to Purchasing Authority	Move Transit (CyRide) exception to Section 6.10 G Contract Award, Transit (CyRide) is exempt from Approval by City Council on items identified in the City Ordinance Chapter 26A	Revise the location of the exemption in the Purchasing Manual

Section 2: Requisitions for Purchase Order:

Section	Subject	Description of Change	Comments
2.01 B	Capital Items	Change acquisition threshold from \$2,500 to \$5,000	Capital items are \$5,000 in value or more
2.02 A	Exceptions	Remove Footing drain grant payments (4096) and change Library collection materials from (7045, 7046, 7048, 7049 & 7051) to (6133, 6145, 6146, 6149 & 6151)	Reflect changes in element object numbers

Section 3: Fleet Vehicles and Equipment: No additional changes

Section 4: Technology and Communications Purchases: No additional changes

Section 5: Specifications and Descriptions/Statements of Work: No additional changes

Section 6: Bids, Quotations, and Proposals

Section	Subject	Description of Change	Comments
6.04 A & C	Bid Threshold Amounts for Bids/Quotations and Proposals	Change bid thresholds limits	Reflects statutory bid threshold limits raised by subcommittee for public improvements
6.05 A	Types of Solicitations	Change footnote to the current bid threshold limits	Reflects statutory bid threshold limits raised by subcommittee for public improvements
6.06 C	Exceptions	Change (NJPA) to (Sourcewell) contracts and change (US Communities) to (OMNIA Partners) contracts.	Reflects change in cooperative buying group's name

Section	Subject	Description of Change	Comments
6.06 D	Exceptions	Remove Footing drain grant payments	Reflect changes in element object numbers
6.07 G	Special Conditions Projects Funded by Federal and State Grants	Add: bids for the purchase of materials and/or services funded by Federal awards shall comply with the Uniform Guidance requirements of 2 CFR Part 200 Procurement Standards regulations 200.317-200.326	Reflects compliance with Federal Uniform Guidance in the City's Purchasing Policies and requires the approval of the City Council
6.12 D8	Contracts Awarded by City Council	Change bid thresholds limits	Reflects statutory bid threshold limits raised by subcommittee for public improvements

Section 7: Purchase Order-Receiving Report: No additional changes

Section 8: Emergency & Rapid Need Purchases: No additional changes

Section 9: Travel, Conference, & Training Expense: No additional changes

Section 10: Reserved

Section 11: Central Office Supply Store & Inventory Management: No additional changes

Section 12: Disposal of Surplus Property: No additional changes

Section 13: Conflict of Interest Policies and Code of Ethics:

Section	Subject	Description of Change	Comments
13.02 B	Definition – City Officer	Remove: Human Relations Hearing Officers, Human Relations Investigative and Conciliation Officers, and Project Share. Add: Board of Review, Civil Service Commission, Analysis of Social Services Evaluation Team (ASSET) and Commission of the Arts.	Reflect changes recommended by Legal Department
13.03 A1, A2 & A3	Purchase of Goods and Services – City Employees	Add: or member of household	Add to definition of immediate family, recommended by Legal Department

Section	Subject	Description of Change	Comments
13.03 B1, B2 & B3	Purchase of Goods and Services –City Officers	Add: or member of household	Add to definition of immediate family, recommended by Legal Department
13.03 C3	Exceptions	Add: or member of household	Add to definition of immediate family, recommended by Legal Department
13.06 A	Reporting	Add: or member of household Add: Each employee and officer must complete a Conflict of Interest Disclosure Form annually.	Add to definition of immediate family, recommended by Legal Department. Reflects change to the Conflict of Interest Reporting

Section 14: Procurement Card Program: No additional charges

Rev. 6/11/19

SUMMARY OF 2019 CHANGES TO PURCHASING PROCEDURES

Section 15: Procedures for Requisitions or Purchase Order: No additional changes

Section 16: Procedures for the Purchase of Fleet Equipment: No additional changes

Section 17: Procedures for the Purchase of Technology & Communication Equipment: No additional changes

Section 18: Specification Guidelines & Procedures: No additional changes

Section 19: Procedures for Bids, Quotations, and Proposals:

Section	Subject	Description of Change	Comments
19.01 B & C	Determining if a Competitive Solicitation is Required	Change bid thresholds limits	Reflects statutory bid threshold limits raised by subcommittee for public improvements
19.04 D & F	Other Bid Requirements and Conditions	Change bid thresholds limits	Reflects statutory bid threshold limits raised by subcommittee for public improvements

Section 20: Procedures for Purchase Order Receiving Report: No additional changes

Section 21: Procedures for Emergency & Rapid-Need Purchases: No additional changes

Section 22: Procedures for Travel, Conference, & Training Expenses: No additional changes

Section 23: Section not used

Section 24: Procedures for Central Stores & Catalogued Inventory Management: No additional changes

Section 25: Procedures Relating to Conflict of Interest & Code of Ethics:

Section	Subject	Description of Change	Comments
25.01 A & B	Purchases	Add: or member of household	Add to definition of immediate family, recommended by Legal Department
25.01 A & B	Purchases	Revise reference from the Purchasing Intranet site to Purchasing Community	Reflects move to the Purchasing Community
25.02 A	Reporting	Add: or member of household	Add to definition of immediate family, recommended by Legal Department
25.02 C	Reporting	Add: Each employee and officer must complete a Conflict of Interest Disclosure Form annually	Reflects change to the Conflict of Interest Reporting

Section 26: Procurement Card Program Procedures: No additional changes

Rev. 6/11/2019

COUNCIL ACTION FORM

SUBJECT: **APPROVAL OF 2019-2020 PAY PLAN**

BACKGROUND:

Each year, the City Council approves a Pay Plan that specifies pay ranges and steps for the City's workforce. The attached 2019-2020 Pay Plan reflects negotiated wage settlements with the five bargaining units shown below, as well as a 3% scale increase for merit employee job classifications.

Actual salary increases for merit employees are performance based, and are established by two factors – each individual's performance rating, and positioning within the salary ranges for each grade. Each merit job grade has a minimum, midpoint, and maximum within the pay plan. These are shown on both an annual and hourly basis.

Funding for the various salaries was previously approved by Council in the adopted FY 2019/20 Budget.

The bargaining units' respective across-the-board settlements are:

IUOE Blue Collar (E Pay Plan):	3%
IBEW-Electric Distribution (H Pay Plan):	3%
IUOE-Power Plant (I Pay Plan):	3%
IAFF-Fire (G Pay Plan):	3%
PPME-Police (F Pay Plan):	3%

Unclassified job categories are adjusted proportionally with merit or union employees or with the relevant labor market. The statutory minimum wage is included as the scale minimum for temporary workers.

ALTERNATIVES:

1. Approve the attached 2019-2020 Pay Plan.
2. Do not approve the 2019-2020 Pay Plan.

CITY MANAGER'S RECOMMENDED ACTION:

The Pay Plan document formally establishes pay ranges and steps for City positions. The rates of pay and salaries included within the Pay Plan reflect the budgeted pay increases and the collectively bargained wage rates for positions throughout the City.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the attached 2019-2020 Pay Plan.

PAY PLAN

CITY OF AMES



2019 - 2020

UNCLASSIFIED POSITIONS
Effective 7/1/19

<u>CODE</u>	<u>CLASSIFICATION</u>	<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
1116	Co-op	17.4751	19.6434	21.8114
1311	Transit Driver	16.0700		
2206	Community Safety Officer Coordinator	19.5561		
2209	Community Safety Officer	18.6250		
2204	Public Safety Quality Assurance Coordinator	16.9744	19.8239	22.6735
2228	Property/Evidence Technician	16.9744	19.8239	22.6735
2229	Lead Property/Evidence Technician	18.5657	21.7130	24.7542
2310	Animal Control Attendant	13.4854	15.7255	17.9656
2311	Animal Control Officer	18.2120	21.6507	25.0891
3112	Library Custodial Assistant	7.2500	12.4557	17.4439
5142	Water/Wastewater Laboratory Aide	14.0178	16.1947	18.3714
9403	Unclassified Laborer	7.2500	12.4557	17.4439
9404	Unclassified Skilled Laborer	17.6531	24.8016	31.9502
9405	Office Worker	7.2500	12.4557	17.4439
9407	Technical Assistant	15.4142	18.4440	21.4737
9450	Temporary Manager	31.1293	45.6196	60.1095
9392	School Crossing Guards	26.92*		

* Daily rate based on two shifts worked

C PAY PLAN
Effective 7/1/19

<u>PAY GRADE</u>	<u>PAY PERIOD</u>	<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
51	Annual Hourly	32,228 15.4947	37,048 17.8119	41,867 20.1287
52	Annual Hourly	34,133 16.4104	39,612 19.0444	45,089 21.6776
53	Annual Hourly	36,295 17.4497	42,402 20.3858	48,508 23.3214
54	Annual Hourly	38,739 18.6248	45,596 21.9213	52,454 25.2187
55	Annual Hourly	41,464 19.9348	49,181 23.6449	56,901 27.3566
56	Annual Hourly	44,531 21.4096	53,223 25.5884	61,913 29.7661
57	Annual Hourly	48,009 23.0817	57,810 27.7937	67,611 32.5053
58	Annual Hourly	51,924 24.9638	62,994 30.2858	74,063 35.6076
59	Annual Hourly	56,340 27.0867	68,849 33.1009	81,359 39.1152
60	Annual Hourly	61,348 29.4947	75,519 36.3075	89,690 43.1206
61	Annual Hourly	67,014 32.2187	83,112 39.9578	99,206 47.6955
62	Annual Hourly	73,467 35.3211	91,756 44.1139	110,045 52.9063
62*	Annual Hourly	73,468 25.2296	91,756 31.5099	110,045 37.7902
63	Annual Hourly	80,796 38.8446	101,637 48.8642	122,477 58.8832
90	Annual Hourly	74,718 35.9223	90,097 43.3162	115,473 50.7084
91	Annual Hourly	81,624 39.2425	99,145 47.6663	116,664 56.0885
92	Annual Hourly	89,483 43.0207	109,443 52.6172	129,404 62.2139
93	Annual Hourly	98,404 47.3100	121,216 58.2772	144,027 69.2442
94	Annual Hourly	108,550 52.1877	134,672 64.7462	160,791 77.3034
95	Annual Hourly	120,144 57.7619	150,099 72.1633	180,052 86.5635

D PAY PLAN
Effective 7/1/19

<u>PAY GRADE</u>	<u>PAY PERIOD</u>	<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
64	Annual	89,126	112,927	136,731
	Hourly	42.8493	54.2923	65.7361
65	Annual	98,642	125,875	153,106
	Hourly	47.4244	60.5169	73.6088
66	Annual	109,574	140,799	172,020
	Hourly	52.6802	67.6922	82.7024
96	Annual	133,454	167,872	202,290
	Hourly	64.1607	80.7077	97.2550

E PAY PLAN
IUOE Blue Collar Unit
Effective 7/1/19

<u>HTE</u>	<u>CLASS</u>		<u>STEP A (START)</u>		<u>STEP B (18 MOS)</u>		<u>STEP C (48 MOS)</u>	
	<u>CODE</u>	<u>TITLE</u>	<u>Annual</u>	<u>Hourly</u>	<u>Annual</u>	<u>Hourly</u>	<u>Annual</u>	<u>Hourly</u>
300	141	Meter Reader	44,012.80	21.16	49,920.00	24.00	58,697.60	28.22
302	142	Senior Meter Reader	46,196.80	22.21	52,041.60	25.02	63,731.20	30.64
304	1110	Engineering Technician I	41,995.20	20.19	47,528.00	22.85	55,952.00	26.90
306	1111	Engineering Technician II	45,552.00	21.90	52,894.40	25.43	60,715.20	29.19
308	1131	Traffic Signal Technician	See page 5					
309	1134	Traffic Signal Technician Lead	See page 5					
310	1222	Plumbing Inspector	56,950.40	27.38	64,396.80	30.96	75,379.20	36.24
312	1223	Electrical Inspector	56,950.40	27.38	64,396.80	30.96	75,379.20	36.24
313	1228	Community Codes Liaison	56,950.40	27.38	64,396.80	30.96	75,379.20	36.24
314	1225	Housing Inspector	56,950.40	27.38	64,396.80	30.96	75,379.20	36.24
315	1226	Building & Zoning Inspector	56,950.40	27.38	64,396.80	30.96	75,379.20	36.24
316	1311	Transit Driver (Full-time)*	38,292.80	18.41	45,240.00	21.75	54,308.80	26.11
318	1311	Transit Driver (PT 20 hrs)*		16.07		19.17		20.73
320	1318	Lane Worker	33,425.60	16.07	39,873.60	19.17	43,118.40	20.73
321	1307	Lead Lane Worker	34,382.40	16.53	41,953.60	20.17	45,281.60	21.77
322	1322	Mechanic Assistant	45,739.20	21.99	52,000.00	25.00	61,131.20	29.39
323	1322	Mechanic Assistant (CyRide)	45,739.20	21.99	52,000.00	25.00	61,131.20	29.39
325	1323	Mechanic (CyRide)	See page 5					
327	1324	Lead Mechanic (CyRide)	60,444.80	29.06	64,209.60	30.87	75,608.00	36.35
328	5112	Water Plant Operator	57,886.40	27.83	65,624.00	31.55	77,064.00	37.05
329	5111	Plant Maintenance Specialist	54,537.60	26.22	61,859.20	29.74	72,841.60	35.02
330	5130	Water Utility Locator	52,769.60	25.37	59,696.00	28.70	70,428.80	33.86
332	5131	Water Meter Technician	50,003.20	24.04	56,742.40	27.28	66,726.40	32.08
334	5140	Water/PC Lab Technician	46,945.60	22.57	52,457.60	25.22	60,964.80	29.31
336	5141	Water/PC Lab Analyst	57,886.40	27.83	65,624.00	31.55	77,064.00	37.05
337	5115	Water Plant Asst. Operator	See page 5					
337	5212	WPC Plant Asst. Operator	See page 5					
338	5213	WPC Plant Operator	57,886.40	27.83	65,624.00	31.55	77,064.00	37.05
339	5220	Res. Rec. Lead Operator	54,475.20	26.19	61,817.60	29.72	72,633.60	34.92
340	5221	Res. Rec. Maint. Operator	51,979.20	24.99	58,926.40	28.33	69,076.80	33.21
342	5411	Plant Maintenance Operator	57,886.40	27.83	65,624.00	31.55	77,064.00	37.05
343	5412	Process Maintenance Worker	See page 6					
344	6110	Treatment Plant Maint. Worker	See page 6					
344	6112	Maintenance Worker	See page 6					
346	6113	Senior Maintenance Worker	50,793.60	24.42	57,553.60	27.67	67,620.80	32.51
348	6114	Parks Maintenance Specialist	51,500.80	24.76	54,371.20	26.14	63,564.80	30.56
351	6115	Streets Maint Lead Worker	See page 6					
350	6121	Building Maint. Specialist	50,003.20	24.04	56,742.40	27.28	66,726.40	32.08
352	6151	Truck Driver	39,312.00	18.90	44,449.60	21.37	52,312.00	25.15
354	6152	Senior Heavy Equipment Oper.	53,393.60	25.67	56,742.40	27.28	66,726.40	32.08
356	6153	Heavy Equipment Operator	48,588.80	23.36	51,688.00	24.85	60,756.80	29.21
358	1137	Traffic Technician	See page 5					
359	6117	W&PC Maint. Tech. I	See page 6					
360	6118	W&PC Maint. Tech. II	See page 6					
362	6111	Laborer	See page 5					
364	1319	Service Worker	See page 5					
366	6163	Custodian	See page 5					
370	1326	Fleet Technician	See page 5					
371	1328	Lead Fleet Technician	60,444.80	29.06	64,209.60	30.87	75,608.00	36.35
372	6154	Res. Rec. Equipment Operator	50,793.60	24.42	57,553.60	27.67	67,620.80	32.51
724	6119	RRP Maint. Tech. I	See page 6					
726	6120	RRP Maint. Tech. II	See page 6					

**E PAY PLAN
IUOE Blue Collar Unit
Effective 7/1/19**

<u>HTE</u>	<u>CLASS</u>		<u>STEP A (START)</u>		<u>STEP B (30 MOS)</u>	
	<u>CODE</u>	<u>TITLE</u>	<u>Annual</u>	<u>Hourly</u>	<u>Annual</u>	<u>Hourly</u>
362	6111	Laborer	39,228.80	18.86	46,155.20	22.19
364	1319	Service Worker	41,620.80	20.01	49,150.40	22.19
366	6163	Custodian	37,752.00	18.15	44,345.60	21.32

<u>HTE</u>	<u>CLASS</u>		<u>Annual</u>	<u>Hourly</u>
	<u>CODE</u>	<u>TITLE</u>		
308	1131	Traffic Signal Technician		
		Step A (Start)	54,600.00	26.25
		Step B (12 months)	57,574.40	27.68
		Step C (24 months)	62,545.60	30.07
		Step D (48 months)	66,476.80	31.96
309	1134	Traffic Signal Technician Lead		
		Step A (Start)	57,428.80	27.61
		Step B (12 months)	62,171.20	29.89
		Step C (24 months)	66,976.00	32.20
		Step D (48 months)	69,784.00	33.55
358	1137	Traffic Technician		
		Step A (Start)	45,572.80	21.91
		Step B (12 months)	49,400.00	23.75
		Step C (24 months)	53,144.00	25.55
		Step D (48 months)	60,756.80	29.21
337	5212	WPC Plant Assistant Operator		
		Step A (Start)	50,793.60	24.42
		Step B (within 8 months) Grade certificate	54,329.60	26.12
		Step C (within 24 months) 21 CEU's directly related to wastewater treatment	57,886.40	27.83
337	5115	Water Plant Assistant Operator		
		Step A (Start)	50,793.60	24.42
		Step B (within 8 months) Grade I certificate	54,329.60	26.12
		Step C (within 24 months) 21 CEU's directly related to water treatment	57,886.40	27.83
370	1326	Fleet Technician		
		Step A - 4 ASE tests	57,553.60	27.67
		Step B - 7 ASE tests (within 1 year)	62,337.60	29.97
		Step C - 10 ASE tests (within 2 years)	67,080.00	32.25
		Step D - ASE certified (within 3 years)	72,072.00	34.65
325	1323	Mechanic (CyRide)		
		Step A (Start)	52,769.60	25.37
		Step B - 4 ASE tests or 18 months	58,219.20	27.99
		Step C - 7 ASE tests or 48 months	68,432.00	32.90
		Step D - Achieve Master Cert. and/or maintain certification after 5 years	72,072.00	34.65

**E PAY PLAN
IUOE Blue Collar Unit
Effective 7/1/18**

<u>HTE</u>	<u>CLASS</u> <u>CODE</u>	<u>TITLE</u>	<u>STEP A</u> <u>(START)</u>	<u>STEP B</u> <u>(6 MOS)</u>	<u>STEP C</u> <u>(12 MOS)</u>	<u>STEP D</u> <u>(18 MOS)</u>	<u>STEP E</u> <u>(24 MOS)</u>	<u>STEP F</u> <u>(36 MOS)</u>	<u>STEP G</u> <u>(48 MOS)</u>
343	5412	Process Maintenance Worker Annual Hourly	43,784.00 21.05	45,884.80 22.06	48,401.60 23.27	50,086.40 24.08	52,208.00 25.10	54,329.60 26.12	56,451.20 27.14
344	6110	Treatment Plant Maint. Worker Annual Hourly	43,846.40 21.08		45,032.00 21.65		46,716.80 22.46		54,932.80 26.41
344	6112	Maintenance Worker Annual Hourly	43,846.40 21.08		45,032.00 21.65		46,716.80 22.46		54,932.80 26.41
351	6115	Streets Maintenance Lead Worker Annual Hourly	54,475.20 26.19		62,940.80 30.26		70,054.40 33.68		72,633.60 34.92
359	6117	W&PC Maint. Tech. I Annual Hourly					51,147.20 24.59*		59,384.00 28.55
360	6118	W&PC Maint. Tech. II Annual Hourly							67,620.80 32.51
724	6119	RRP Maint. Tech. I Annual Hourly					55,952.00 26.90*	58,073.60 27.92*	60,174.40 28.93*
726	6120	RRP Maint. Tech. II Annual Hourly						65,499.20 31.49*	67,620.80 32.51*

*must also have successfully completed required skill block to be eligible for this rate

**F PAY PLAN
PPME - Police
Effective 7/1/19**

<u>HTE</u>	<u>CLASS CODE</u>	<u>TITLE</u>	<u>STEP A (START)</u>	<u>STEP B (18 MOS)</u>	<u>STEP C (36 MOS)</u>
400	2308	Animal Control Clerk	42,588 20.4750	51,067 24.5515	
402	131	Parking Meter Attendant	38,190 18.3606	40,440 19.4424	48,541 23.3371
403	2207	Lead Police Records Clerk	44,717 21.4986	49,101 23.6063	58,511 28.1303
404	2208	Police Records Clerk	42,588 20.4750	46,762 22.4818	55,725 26.7909
416	2201	Public Safety Lead Dispatcher	49,445 23.7717	51,857 24.9313	59,776 28.7385
406	2202	Public Safety Dispatcher	46,242 22.2318	48,472 23.3039	56,027 26.9361
412	2311	Animal Control Officer	40,443 19.4438	43,855 21.0842	54,356 26.1327

<u>HTE</u>	<u>CLASS CODE</u>	<u>TITLE</u>	<u>ANNUAL</u>	<u>HOURLY</u>
408	2212	Police Officer - 2016 or Prior		
	A.	0-18 months	54,881	26.5383
	B.	19-36 months	60,066	29.0455
	C.	37-120 months	71,638	34.6412
	D.	121-216 months	73,608	35.5939
	E.	216+ months	75,816	36.6616
410	2214	Police Officer - 2017 or Later		
	A.	0-12 months	54,881	26.5383
	B.	13-24 months	58,232	28.1587
	C.	25-48 months	61,584	29.7795
	D.	49-72 months	64,934	31.3995
	E.	73-96 months	68,286	33.0204
	F.	97-120 months	71,638	34.6412
	G.	121-216 months	73,608	35.5939
	H.	216+ months	75,816	36.6616

**G PAY PLAN
IAFF - Fire
Effective 7/1/19**

<u>HTE</u>	<u>CLASS CODE</u>	<u>TITLE</u>	<u>STEP A</u>	<u>STEP B</u>	<u>STEP C</u>	<u>STEP D</u>
504	2111	Firefighter	50,507 17.3444	55,336 19.0027	66,249 22.7503	72,423 24.8705
506	2112	Fire Lieutenant	80,270 27.5652			
508	2114	Fire Inspector	88,163 42.3861			

Step A = 0 through 18 months
 Step B = 19 months
 Step C = 37 months
 Step D = 60 months (see also Section 16.3)

Effective July 1, 2004, the City will combine incentive pay (First Responder - .7%, Instructor I - .7%, and DMACC classes - 1.7% for a total of 3.1%) and add to Firefighter Step D, Fire Lieutenant, and Fire Inspector pay scale.

**H PAY PLAN
IBEW
Effective 7/1/19**

<u>HTE</u>	<u>CLASS CODE</u>	<u>TITLE</u>	<u>Annual</u>	<u>Hourly</u>
600	171	Storekeeper	49,920.00	24.00
602	711	Records and Materials Specialist	63,440.00	30.50
604	4209	Substation Electrician Assistant	71,011.20	34.14
606	4210	Underground Electric Serviceworker	67,683.20	32.54
608	4211	Groundswoker	62,254.40	29.93
610	4212	Truck Driver/Groundswoker	67,683.20	32.54
612	4213	Electric Serviceworker	72,716.80	34.96
614	4215	Electric Lineworker	83,803.20	40.29
616	4218	Substation Electrician	83,803.20	40.29
618	4221	Electric Line Foreman	88,774.40	42.68
620	4231	Electric Meter & Relay Technician	72,259.20	34.74
622	4311	Electrical Engineering Assistant	69,180.80	33.26
624	4312	Electrical Engineering Technician	90,188.80	43.36
626	6126	Substation Foreman	88,744.40	42.68
628	4214	Apprentice Electric Lineworker		
		A. 1st twelve months/2000 hrs. (60%)	50,273.60	24.17
		B. 2nd twelve months/2000 hrs. (70%)	58,656.00	28.20
		C. 3rd twelve months/2000 hrs. (80%)	67,059.20	32.24
		D. 4th twelve months/1000 hrs. (90%)	75,420.80	36.26
630	4217	Apprentice Substation Electrician		
		A. 0 - 1000 hours (65%)	54,454.40	26.18
		B. 1000 - 2000 hours (70%)	58,656.00	28.20
		C. 2000 - 3000 hours (75%)	62,857.60	30.22
		D. 3000 - 4000 hours (80%)	67,059.20	32.24
		E. 4000 - 5000 hours (85%)	71,240.00	34.25
		F. 5000 - 6000 hours (90%)	75,420.80	36.26
632	4230	Apprentice Electric Meter Repair Worker		
		A. 0 - 1000 hours (75%)	54,204.80	26.06
		B. 1000 - 2000 hours (80%)	57,803.20	27.79
		C. 2000 - 3000 hours (84%)	60,715.20	29.19
		D. 3000 - 4000 hours (88%)	63,585.60	30.57
		E. 4000 - 5000 hours (92%)	66,476.80	31.96
		F. 5000 - 6000 hours (96%)	69,368.00	33.35

The above listed wage rates for apprentices are based on percentages of journeymen rates as set out in the respective apprentice agreements. Progression within the apprentice classifications is contingent upon training and outside coursework plus meeting the requirements set out in the apprenticeship agreement.

**I PAY PLAN
IUOE - Power Plant
Effective 7/1/19**

<u>HTE</u>	<u>CLASS CODE</u>	<u>TITLE</u>	<u>Annual</u>	<u>Hourly</u>
700	4110	Lead Coal Handler	73,382.40	35.28
702	4111	Coal Handler		
		1st 6 months	52,291.20	25.14
		2nd 6 months	55,806.40	26.83
		3rd 6 months	62,816.00	30.20
		Thereafter	69,888.00	33.60
704	4112	Power Plant Auxiliary Operator		
		1st 6 months	60,902.40	29.28
		2nd 6 months	64,750.40	31.13
		3rd 6 months	68,494.40	32.93
		4th 6 months	72,384.00	34.80
		Thereafter	76,211.20	36.64
706	4113	Power Plant Fireworker		
		5th 6 months	77,209.60	37.12
		6th 6 months	80,641.60	38.77
		Thereafter	83,137.60	39.97
708	4114	Power Plant Operator		
		7th 6 months	86,216.00	41.45
		Thereafter	88,878.40	42.73
709	4117	Environmental Instrument & Control Technician		
		1st 6 months	68,619.20	32.99
		2nd 6 months	73,320.00	35.25
		3rd 6 months	77,875.20	37.44
		4th 6 months	82,326.40	39.58
		5th 6 months	86,964.80	41.81
		6th 6 months	89,731.20	43.14
		Thereafter	91,728.00	44.10
709	4118	Instrument & Control Technician		
		1st 6 months	68,619.20	32.99
		2nd 6 months	73,320.00	35.25
		3rd 6 months	77,875.20	37.44
		4th 6 months	82,326.40	39.58
		5th 6 months	86,964.80	41.81
		6th 6 months	89,731.20	43.14
		Thereafter	91,728.00	44.10

**I PAY PLAN
IUOE - Power Plant
Effective 7/1/19**

<u>HTE</u>	<u>CLASS CODE</u>	<u>TITLE</u>	<u>Annual</u>	<u>Hourly</u>
714	4122	Power Plant Maintenance Foreman	91,728.00	44.10
716	4124	Power Plant Maintenance Worker		
		1st 6 months	47,008.00	22.60
		2nd 6 months	50,294.40	24.18
		3rd 6 months	56,534.40	27.18
		Thereafter	63,876.80	30.71
718	4125	Power Plant Maintenance Mechanic		
		1st 6 months	63,232.00	30.40
		2nd 6 months	67,163.20	32.29
		3rd 6 months	71,156.80	34.21
		4th 6 months	75,067.20	36.09
		Thereafter	79,102.40	38.03
720	6123	Electrician		
		1st 6 months	60,486.40	29.08
		2nd 6 months	64,979.20	31.24
		3rd 6 months	69,659.20	33.49
		4th 6 months	74,276.80	35.71
		5th 6 months	78,852.80	37.91
		6th 6 months	81,972.80	39.41
		Thereafter	84,115.20	40.44
722	6163	Custodian		
		1st 6 months	39,187.20	18.84
		2nd 6 months	41,516.80	19.96
		Thereafter	45,843.20	22.04

Progression within the apprentice classification is contingent upon successful completion of outside course work and satisfactory progress during each step interval plus meeting the requirements set out in the apprenticeship agreement.

ALPHABETICAL LISTING

<u>CODE</u>	<u>HTE</u>	<u>EEO</u>	<u>FLSA</u>	<u>CLASSIFICATION</u>	<u>PAY GRADE</u>	<u>PAGE</u>
0133	----	6	NE	Account Clerk	56	2
0307	----	2	NE	Accountant	59	2
2310	----	8	NE	Animal Control Attendant	Temporary	1
2308	400	6	NE	Animal Control Clerk	Union-F	7
2311	412	8	NE	Animal Control Officer	Union-F	7
2311	----	8	NE	Animal Control Officer	Temporary	1
2312	----	3	E	Animal Control Supervisor	61	2
2311	----	3	NE	Animal Control Veterinary Technician	56	2
4230	632	7	NE	Appr. Electric Meter Repair Worker	Union-H	9
4217	630	8	NE	Appr. Substation Electrician	Union-H	9
4214	628	7	NE	Apprentice Electric Lineworker	Union-H	9
3202	----	5	E	Aquatics & Activities Manager	59	2
3211	----	2	E	Aquatics & Activities Supervisor	59	2
1227	----	2	E	Assistant Building Official	60	2
0411	----	2	E	Assistant City Attorney I	61	2
0412		2	E	Assistant City Attorney II	63	2
0612	----	1	E	Assistant City Manager	65	3
4331	----	1	E	Assistant Director Electric Services	94	2
0313	----	1	E	Assistant Director of Finance	62	2
5311	----	1	E	Assistant Director of Water and PC	63	2
4222	----	2	E	Assistant Electric Distribution Supt.	90	2
1214	----	2	E	Assistant Planner	58	2
0611	----	1	E	Assistant to the City Manager	64	3
1317	----	1	E	Assistant Transit Director-Fleet & Facilities	62	2
1321	----	1	E	Assistant Transit Director-Operations	63	2
3206	----	2	E	Aud., Bandshell, & Community Center Mgr	59	2
0308	----	2	E	Budget Officer	61	2
1226	315	1	NE	Building and Zoning Inspector	Union-E	4
6121	350	7	NE	Building Maintenance Specialist	Union-E	4
1224	----	1	E	Building Official	62	2
0132	----	6	NE	Cashier	56	2
2223	----	1	E	Chief of Police	65	3
6108	----	6	E	City Forester	59	2
1124	----	3	NE	Civil Design Technician	59	2
1120	----	2	E	Civil Engineer I	60	2
1121	----	2	E	Civil Engineer II	62	2
0218	----	2	E	Client Support Coordinator	60	2
0217	----	3	NE	Client Support Specialist I	56	2
0215	----	3	NE	Client Support Specialist II	57	2
1116	999	8	NE	Co-op	Temporary	1
4111	702	8	NE	Coal Handler	Union-I	10
1228	313	10	NE	Community Codes Liaison	Union-E	4
2209	----	4	NE	Community Safety Officer	Temporary	1
2206	----	4	NE	Community Safety Officer Coordinator	Temporary	1
5133	----	3	NE	Cross Connection Control Coordinator	59	2
6163	366	8	NE	Custodian	Union-E	5
6163	722	8	NE	Custodian	Union-I	11
0124	----	1	E	Customer Support Coordinator	59	2
2118	----	1	E	Deputy Fire Chief	63	2
4332	----	1	E	Director of Electric Services	96	3
0314	----	1	E	Director of Finance	65	3

0174	----	1	E	Director of Fleet Services	65	3
0514	----	1	E	Director of Human Resources	65	3
3215	----	1	E	Director of Parks and Recreation	65	3
1232	----	1	E	Director of Planning and Housing	65	3
6232	----	1	E	Director of Public Works	65	3
1315	----	1	E	Director of Transit	65	3
5312	----	1	E	Director of Water and WPC	65	3
4224	----	1	E	Electric Distribution Manager	91	2
4310	----	5	NE	Electric GIS Specialist	59	2
4221	618	7	NE	Electric Line Foreman	Union-H	9
4215	614	7	NE	Electric Lineworker	Union-H	9
4231	620	7	NE	Electric Meter & Relay Technician	Union-H	9
4213	612	7	NE	Electric Service Worker	Union-H	9
4130	----	2	E	Electric Services Maintenance Supt	90	2
4129	----	2	E	Electric Services Operations Supt	90	2
4319	----	2	E	Electrical Engineer I	60	2
4318	----	2	E	Electrical Engineer II	90	2
4311	622	5	NE	Electrical Engineering Assistant	Union-H	9
4322	----	2	E	Electrical Engineering Manager	92	2
4312	624	3	NE	Electrical Engineering Technician	Union-H	9
1223	312	1	NE	Electrical Inspector	Union-E	4
6123	720	7	NE	Electrician	Union-I	11
2200	----	6	E	Emergency Communications Supervisor	60	2
4316	----	2	E	Energy Services Coordinator	60	2
1110	304	5	NE	Engineering Technician I	Union-E	4
1111	306	3	NE	Engineering Technician II	Union-E	4
5305	----	2	E	Environmental Engineer I	60	2
5306	----	2	E	Environmental Engineer II	61	2
4117	709	3	NE	Environmental Instrument & Control Tech	Union-I	10
5309	----	2	E	Environmental Specialist	60	2
2116	----	1	E	Fire Chief	65	3
2114	508	1	NE	Fire Inspector	Union-G	8
2112	506	2	NE	Fire Lieutenant	Union-G	8
2119	----	2	E	Fire Training Officer	61	2
2111	504	4	NE	Firefighter	Union-G	8
6140	----	1	E	Fleet Support Manager	61	2
1326	370	7	NE	Fleet Technician	Union-E	5
1125	----	2	E	GIS Coordinator	61	2
1115	----	3	NE	GIS Specialist	59	2
6221	----	7	NE	Grounds Foreman	58	2
6222	----	3	E	Grounds Supervisor	60	2
4211	608	8	NE	Groundswoker	Union-H	9
0509	----	2	E	Health Promotion Coordinator	60	2
6153	356	7	NE	Heavy Equipment Operator	Union-E	4
0212	----	6	NE	Help Desk Specialist	56	2
1216	----	2	E	Housing Coordinator	61	2
1225	314	9	NE	Housing Inspector	Union-E	4
0511	----	5	E	Human Resources Analyst	58	2
0516	----	6	NE	Human Resources Assistant	56	2
0510	----	2	E	Human Resources Officer I	60	2
0513	----	2	E	Human Resources Officer II	61	2
0515	----	6	NE	Human Resources Secretary I	57	2
3209	----	5	E	Ice Arena Manager	59	2
0222	----	1	E	Information Technology Manager	62	2
4118	709	3	NE	Instrument and Control Technician	Union-I	10

0312	----	2	E	Investment Officer	60	2
0213	----	5	NE	IT Operations Technician	57	2
0225	----	3	NE	IT Specialist - Public Safety	58	2
6111	362	8	NE	Laborer	Union-E	5
1318	320	8	NE	Laneworker	Union-E	4
4110	700	8	NE	Lead Coal Handler	Union-I	10
1328	371	7	NE	Lead Fleet Technician	Union-E	4
1307	321	8	NE	Lead Lane Worker	Union-E	4
1324	327	7	NE	Lead Mechanic (CyRide)	Union-E	4
2207	403	6	NE	Lead Police Records Clerk	Union-F	7
2229	----	6	NE	Lead Property-Evidence Technician	57	2
2229	----	6	NE	Lead Property-Evidence Technician	Temporary	1
0118	----	6	NE	Legal Secretary	57	2
0120	----	5	E	Legal Services Administrative Assistant	59	2
0119	----	6	NE	Legal Technician	57	2
3121	----	2	E	Librarian	58	2
3117	----	5	NE	Library Administrative Assistant	58	2
3108	----	1	E	Library Adult Services Manager	61	2
3113	----	5	NE	Library Assistant	57	2
3110	----	8	NE	Library Building Maintenance Supervisor	57	2
3116	----	6	NE	Library Cataloging Clerk	53	2
3106	----	6	NE	Library Clerk - Adult/Youth Services	53	2
3109	----	6	NE	Library Clerk - Customer Account Services	53	2
3111	----	6	NE	Library Clerk - Resource Services	53	2
3107	----	6	NE	Library Client Support Technician	57	2
3114	----	2	E	Library Community Relations Specialist	58	2
3112	999	8	NE	Library Custodial Assistant	Temporary	1
3129	----	2	E	Library Customer Account Services Manager	61	2
3123	----	1	E	Library Director	65	3
3133	----	6	NE	Library Marketing Assistant	56	2
3120	----	2	E	Library IT Systems Administrator	60	2
3131	----	2	E	Library Operations Coordinator	59	2
3126	----	2	E	Library Reference Specialist	59	2
3105	----	2	E	Library Resource Services Manager	61	2
3132	----	5	E	Library Resource Services Technician	57	2
3130	----	2	E	Library Volunteer Coordinator	59	2
3128	----	2	E	Library Youth Services Manager	61	2
0166	----	6	NE	Mail Clerk	55	2
6117	359	8	NE	Maintenance Tech I	Union-E	6
6112	344	8	NE	Maintenance Worker	Union-E	6
0614	----	2	E	Management Analyst	58	2
4315	----	3	E	Manager of Energy Market Operations	91	2
1323	325	7	NE	Mechanic (CyRide)	Union-E	4
1322	322	8	NE	Mechanic Assistant	Union-E	4
1322	323	8	NE	Mechanic Assistant (CyRide)	Union-E	4
0608	----	5	E	Media Production Services Coordinator	58	2
2230	----	4	E	Mental Health Advocate	59	2
0141	300	6	NE	Meter Reader	Union-E	4
1122	----	1	E	Municipal Engineer	63	2
0224	----	2	E	Network Administrator	60	2
0216	----	3	NE	Network Technician	57	2
9405	999	6	NE	Office Worker	Temporary	1
0117	----	6	NE	Paralegal	58	2
2231	----	6	E	Parking Enforcement Coordinator	58	2
3213	----	1	E	Parks and Facilities Superintendent	62	2

3210	----	5	E	Parks and Facilities Supervisor	59	2
6114	348	8	NE	Parks Maintenance Specialist	Union-E	4
0134	----	6	NE	Payroll Clerk	57	2
1212	----	2	E	Planner	60	2
1230	----	5	E	Plans Examiner	59	2
5411	342	7	NE	Plant Maintenance Operator	Union-E	4
5111	329	7	NE	Plant Maintenance Specialist	Union-E	4
1222	310	1	NE	Plumbing Inspector	Union-E	4
2224	----	1	E	Police Commander	63	2
2222	----	2	E	Police Lieutenant	62	2
2212	408	4	NE	Police Officer	Union-F	7
2214	410	4	NE	Police Officer	Union-F	7
2208	404	6	NE	Police Records Clerk	Union-F	7
2205	----	6	E	Police Records Supervisor	59	2
2221	----	3	E	Police Sergeant	61	2
2225	----	2	E	Police Support Services Manager	63	2
4112	704	8	NE	Power Plant Auxiliary Operator	Union-I	10
4323	----	2	E	Power Plant Engineer	90	2
4113	706	7	NE	Power Plant Fireworker	Union-I	10
4122	714	7	NE	Power Plant Maintenance Foreman	Union-I	11
4125	718	7	NE	Power Plant Maintenance Mechanic	Union-I	11
4124	716	8	NE	Power Plant Maintenance Worker	Union-I	11
4132	----	1	E	Power Plant Manager	92	2
4114	708	7	NE	Power Plant Operator	Union-I	10
0113	----	6	NE	Principal Clerk	56	2
0163	----	7	NE	Printing and Graphics Services Specialist	58	2
5412	343	8	NE	Process Maintenance Worker	Union-E	6
0175	----	5	NE	Procurement Specialist I	57	2
0172	----	5	NE	Procurement Specialist II	59	2
2228	----	6	NE	Property/Evidence Technician	56	2
2228	----	6	NE	Property/Evidence Technician	Temporary	1
0713	----	2	E	Public Relations Officer	61	2
2202	406	6	NE	Public Safety Dispatcher	Union-F	7
2201	416	6	NE	Public Safety Lead Dispatcher	Union-F	7
2204	----	6	NE	Public Safety Quality Assurance Coordinator	Temporary	1
0714	----	6	E	Public Works Management Analyst	58	2
6230	----	1	E	Public Works Operations Manager	62	2
6231	----	3	E	Public Works Operations Supervisor	61	2
0169	----	6	NE	Purchasing Clerk	56	2
0173	----	2	E	Purchasing Manager	62	2
0711	602	6	NE	Records and Materials Specialist	Union-H	9
9500	----	6	E	Records Manager/City Clerk	61	2
3201	----	5	E	Recreation Manager	59	2
3214	----	1	E	Recreation Superintendent	62	2
5222	----	2	E	Resource Recovery Asst. Superintendent	61	2
6154	372	7	NE	Resource Recovery Equipment Operator	Union-E	4
5220	339	7	NE	Resource Recovery Lead Operator	Union-E	4
5221	340	7	NE	Resource Recovery Maint. Operator	Union-E	4
6119	724	8	NE	Resource Recovery Maint. Tech. I	Union-E	6
6120	726	8	NE	Resource Recovery Maint. Tech. II	Union-E	6
5223	----	1	E	Resource Recovery Superintendent	62	2
0610	----	1	E	Risk Manager	61	2
9392	----	8	NE	School Crossing Guard	Temporary	1
3200	----	8	NE	Seasonal Parks and Recreation	Temporary	1
0121	----	6	NE	Secretary I	57	2

0122	----	6	NE	Secretary II	58	2
0112	----	6	NE	Senior Clerk	55	2
1112	----	3	NE	Senior Engineering Technician	59	2
6152	354	7	NE	Senior Heavy Equipment Operator	Union-E	4
6113	346	8	NE	Senior Maintenance Worker	Union-E	4
0142	302	6	NE	Senior Meter Reader	Union-E	4
1319	364	8	NE	Service Worker	Union-E	5
2113	----	4	E	Shift Commander	62*	2
0171	600	6	NE	Storekeeper	Union-H	9
1126	----	3	E	Stormwater Resource Analyst	59	2
1123	----	2	E	Stormwater Specialist	59	2
6211	----	7	NE	Streets Maintenance Foreman	59	2
6115	351	7	NE	Streets Maintenance Lead Worker	Union-E	6
6213	----	3	E	Streets Operations Supervisor	61	2
4218	616	7	NE	Substation Electrician	Union-H	9
4209	604	8	NE	Substation Electrician Assistant	Union-H	9
6126	626	7	NE	Substation Foreman	Union-H	9
0221	----	2	E	Systems Analyst	60	2
9407	----	3	NE	Technical Assistant	Temporary	1
4232	----	3	E	Technical Services Supervisor	90	2
9450	----	1	E	Temporary Manager	Temporary	1
1133	----	2	E	Traffic Engineer I	61	2
1136	----	2	E	Traffic Engineer II	62	2
1131	308	3	NE	Traffic Signal Technician	Union-E	5
1134	309	3	NE	Traffic Signal Technician Lead Worker	Union-E	5
1132	----	3	E	Traffic Supervisor	61	2
1137	----	7	NE	Traffic Technician	Union-E	5
1311	316	8	NE	Transit Driver	Union-E	4
1311	----	8	NE	Transit Driver (< 20 hrs/week)	Temporary	1
1310	----	5	E	Transit Maintenance Coordinator	60	2
1313	----	6	NE	Transit Dispatcher	57	2
1314	----	5	E	Transit Operations Manager	60	2
1312	----	2	E	Transit Operations Supervisor	61	2
1305	----	2	E	Transit Planner/EEO Officer	60	2
1316	----	5	E	Transit Scheduler/Admin Analyst	60	2
1309	----	3	NE	Transit Technology Coordinator/Dispatcher	59	2
1320	----	5	E	Transit Trainer	59	2
1129	----	2	E	Transportation Planner	60	2
6110	344	8	NE	Treatment Plant Maintenance Worker	Union-E	6
6151	352	8	NE	Truck Driver	Union-E	4
4212	610	8	NE	Truck Driver/Groundworker	Union-H	9
3216	----	5	E	Turf Maintenance Supervisor	59	2
9403	999	8	NE	Unclassified Labor	Temporary	1
9404	999	8	NE	Unclassified Skilled Laborer	Temporary	1
4210	606	7	NE	Underground Electric Serviceworker	Union-H	9
0310	----	2	E	Utility Accounts Supervisor	61	2
0135	----	6	NE	Utility Accounts Technician	57	2
0136	----	6	NE	Utility Customer Services Clerk	56	2
4320	----	2	E	Utility Engineer	90	2
5121	----	7	NE	Utility Maintenance Foreman	59	2
5141	336	3	NE	Water & PC Laboratory Analyst	Union-E	4
5143	----	1	E	Water & PC Laboratory Supervisor	60	2
5140	334	3	NE	Water & PC Laboratory Technician	Union-E	4
6117	359	8	NE	Water & PC Maintenance Technician I	Union-E	6
6118	360	8	NE	Water & PC Maintenance Technician II	Union-E	6

5132	-----	3	E	Water Meter Supervisor	60	2
5131	332	8	NE	Water Meter Technician	Union-E	4
5114	-----	2	E	Water Plant Assistant Superintendent	61	2
5115	337	7	NE	Water Plant Assistant Operator	Union-E	4
5112	328	7	NE	Water Plant Operator	Union-E	4
5113	-----	1	E	Water Plant Superintendent	62	2
5130	330	8	NE	Water Utility Locator	Union-E	4
5142	-----	3	NE	Water/Wastewater Laboratory Aide	Temporary	1
3208	-----	5	E	Wellness Program Manager	59	2
5212	337	7	NE	WPC Plant Assistant Operator	Union-E	5
5215	-----	2	E	WPC Plant Assistant Superintendent	61	2
5213	338	7	NE	WPC Plant Operator	Union-E	4
5214	-----	1	E	WPC Plant Superintendent	62	2

COUNCIL ACTION FORM

SUBJECT: CANCELLATION OF ECONOMIC DEVELOPMENT ASSISTANCE AGREEMENTS WITH SMART-AG AND XPANXION, LLC

BACKGROUND:

In 2016 the City entered into economic development agreements with local software service company Xpanxion, LLC as the local sponsor for Iowa Economic Development Authority (IEDA) assistance and a separate agreement to provide a local match in the form of a \$36,000 forgivable loan. In late 2018 and early 2019 the City entered into similar agreements with ag technology company, SmartAg, with a \$50,000 forgivable loan as the local match. **No funding or benefit has been provided under the IEDA and local match agreements for both companies and both have requested to rescind the agreements.**

The IEDA agreements termination terms require written agreement by all parties. It has been a general policy to allow for termination prior to benefits being provided under the contract. The City local match agreement terms state that the agreement remains in effect as long as the loan is outstanding and unpaid or unforgiven. Since no loan has been made yet there is no loan outstanding.

It is our understanding is that both companies are continuing with expansion in Ames, but possibly to a lesser extent and have secured other funding.

ALTERNATIVES:

1. Adopt a resolution approving the termination of the IEDA and local match economic development assistance agreements with SmartAg and Xpanxion, LLC.
2. Do not adopt a resolution of approving the termination of the IEDA and local match economic development assistance agreements with SmartAg and Xpanxion, LLC

MANAGER’S RECOMMENDED ACTION:

SmartAg and Xpanxion have not requested or received any benefits under the economic development agreements. If the companies do not request to draw loan proceeds the agreements are effectively canceled. Approving the request for cancellation makes funding available for other projects.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, adopting a resolution approving the termination of the IEDA and local match economic development assistance agreements with SmartAg and Xpanxion, LLC.

COUNCIL ACTION FORM

SUBJECT: ASBESTOS REMEDIATION AND RELATED SERVICES AND SUPPLY CONTRACT FOR POWER PLANT

BACKGROUND:

This contract involves the removal and proper disposal of asbestos insulation at the Power Plant, including Units 5 and 6 (both retired) and operating units 7 and 8. The two retired units and Unit 7 are primarily insulated with asbestos type insulation. Unit 8 is considered "asbestos free" excluding some gasket material and steam pipe insulation around the turbine. In addition, there is other equipment and piping located in the Power Plant that has been insulated with asbestos type insulation.

The current contract for these services was bid in 2014 and there are no remaining renewal options. These services include removal and disposal of asbestos containing insulation, and the remediation/encapsulation of identified areas or where an encapsulated surface is damaged. Asbestos must be removed and disposed of per State and Federal regulations before retired equipment can be physically removed. In addition, asbestos should be removed or encapsulated where employees will be working.

The Power Plant benefits from having a service contract with a firm that provides routine and emergency asbestos remediation services. The benefits include consistency of work and quality from a single contractor, reduction in the City's exposure to market forces regarding prices and availability for labor, travel, and supplies in preparation for a scheduled outage, rapid contractor mobilization to start emergency repairs, and saved City staff time obtaining quotes, evaluating bids, and preparing specifications and other procurement documentation.

The approved FY 2019/20 Power Plant operating budget includes \$80,000 for asbestos removal. Invoices will be based on contract rates for time and materials for services actually received.

ALTERNATIVES:

1. Approve preliminary plans and specifications for Asbestos Remediation and Related Services Contract for Power Plant, and set July 10, 2019, as the bid due date and July 23, 2019, as the date of public hearing and award of contract.
2. Purchase asbestos maintenance services on an as-needed basis.

CITY MANAGER'S RECOMMENDED ACTION:

Asbestos removal and encapsulation will be an on-going cost, since most of the old equipment at the Power Plant was insulated with asbestos. This contract will establish rates for service and provide for guaranteed availability, thereby setting in place known rates for service.

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

COUNCIL ACTION FORM

SUBJECT: NON-ASBESTOS INSULATION AND RELATED SERVICES AND SUPPLY CONTRACT FOR POWER PLANT

BACKGROUND:

This contract involves the removal, repair, and reinstallation of non-asbestos insulation at the Power Plant. It also includes installation of new insulation systems on pipes, ducts, equipment, vessels, boilers, and accessories throughout the Power Plant; repair and replacement of lagging systems; repair and replacement of jacketing systems and installation of new jacketing systems; fire-stopping insulation; and sound attenuation insulation.

The current contract for these services was bid in 2015 and there are no remaining renewal options. The Power Plant benefits from having a service contract with a firm that provides routine and emergency non-asbestos insulation services. The benefits include consistency of work and quality from a single contractor, reduction in the City's exposure to market forces regarding prices and availability for labor, travel, and supplies in preparation for a scheduled outage, rapid contractor mobilization to start emergency repairs, and saved City staff time obtaining quotes, evaluating bids, and preparing specifications and other procurement documentation.

The approved FY 2019/20 Power Plant operating budget includes \$80,000 for non-asbestos insulation and related services and supplies. Invoices will be based on contract rates for time and materials for services actually received.

ALTERNATIVES:

1. Approve preliminary plans and specifications for Non-Asbestos Insulation and Related Services and Supply Contract for Power Plant, and set July 10, 2019, as the bid due date and July 23, 2019, as the date of public hearing and award of contract.
2. Purchase non-asbestos insulation services on an as-needed basis.

CITY MANAGER'S RECOMMENDED ACTION:

Non-asbestos insulation maintenance will be an on-going cost. This contract will establish rates for service and provide for guaranteed availability, thereby setting in place known rates for service.

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

ITEM: 15
DATE: 06-11-19

COUNCIL ACTION FORM

SUBJECT: CAMPUSTOWN PUBLIC IMPROVEMENTS – WATER SERVICE REPLACEMENT (LINCOLN WAY FROM HAYWARD AVENUE TO WELCH AVENUE)

BACKGROUND:

The 100 block of Welch Avenue between Lincoln Way and Chamberlain Avenue contain some of Ames’ oldest infrastructure. Reconstruction of the utilities in this block is included in the FY 2019/20 Capital Improvement Plan. These improvements to Welch Avenue will not only provide the opportunity to address aging infrastructure, but also to enhance traffic flow, upgrade amenities, and explore ways to match the current use of the area to a new streetscape.

This project also includes underground utility updates on Lincoln Way (Hayward Avenue to Welch Avenue) and on segments of Welch Avenue outside the 100 block (Lincoln Way to Knapp Street). These utility updates include water main, storm sewer, and sanitary sewer.

On May 14, 2019, the City Council received a report regarding the timing of this project, and approved staff’s recommendation to delay the most disruptive portion of the project (along Welch Avenue), until next year. The City Council approved proceeding with the utility work along Lincoln Way in summer 2019. **Therefore, this project focuses on the underground utility updates that are located on Lincoln Way (Hayward Avenue to Welch Avenue).**

The engineering, electric, construction and construction administration budget for this project is programmed for \$1,750,000 in various funding (\$100,000 Road Use Tax, \$1,000,000 GO Bonds, \$425,000 Water Utility Funds, \$125,000 Sewer Utility Funds, and \$100,000 in Electric Utility Funds).

ALTERNATIVES:

1. Approve the plans and specifications for the Campustown Public Improvements – Water Service Replacement (Lincoln Way from Hayward Avenue to Welch Avenue) project and establish July 3rd, 2019, as the date of letting and July 9th, 2019, as the date for report of bids.
2. Direct staff to revise the project.

CITY MANAGER'S RECOMMENDED ACTION:

By approving these plans and specifications, underground utility updates on Lincoln Way may be completed this year, and traffic disruption on Lincoln Way will be minimized next year during the construction of the Welch Avenue improvements.

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

COUNCIL ACTION FORM

**SUBJECT: POWER PLANT BOILER MAINTENANCE SERVICES CONTRACT
AWARD OF CONTRACT**

BACKGROUND:

On April 23, 2019, City Council approved preliminary plans and specifications for the Power Plant Boiler Maintenance Services Contract. This contract consists of a variety of boiler and pressure vessel maintenance, including structural steel and pressure vessel repair. The contractor provides emergency service, as well as regularly planned repairs and services during scheduled outages.

The repair of the equipment on these generation units requires professional trade crafts such as boilermakers, laborers, and millwrights. Both of the Power Plant's boilers (Unit 7 and Unit 8) have experienced excessive corrosion in the superheater sections. The corrosion has caused the tubes to thin, resulting in many forced outages.

The FY 2018/19 contractor struggled to provide needed labor for short-term repairs and maintenance work under the current contract. This situation was reported to Council on April 16, 2019, and an emergency change order authorization to hire an alternative vendor to perform repairs was approved. The use of that alternative contractor has been required until new bids could be obtained and a contract in place.

In FY 2019/20, major repair projects are planned for both boilers, installing coated tubes that will be able to withstand the corrosion. Until these repairs are complete, it is of critical importance to have a contract in place that allows for a qualified contractor to be ready to respond to emergency outages.

This bid is for these repair and maintenance services from approval of contract through the end of FY 2019/20. The bid documents include the option of up to four one-year renewals. Any renewal would require approval by City Council.

Bidding documents were provided to ten potential bidders and five plan rooms. An additional 26 contractors were directly notified of the bid opportunity. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage and a Legal Notice was published on the websites of a contractor plan room service with statewide circulation and the Iowa League of Cities.

On May 21, 2019, three bids were received as shown on the attached bid report. These bids were reported to City Council on May 28, 2019. Award of contract was delayed in order to allow sufficient time for evaluation in order to recommend an award that best meets the City's needs.

Electric Services Department staff has completed evaluation of the three bids. The bids include costs for a variety of tradeworkers to conduct work. Therefore, the bids are evaluated using a scenario for five-day period of work, including all the incidental charges associated with each vendor (e.g., mileage, subsistence, etc.). This model scenario has been used for boiler maintenance services contracts for many years (example work scenario included in the attachment). For this bid, the scenario results in the following ranking of the three bidders:

Bidder	Rank
Capital City Boiler and Machine Works, Inc.	1
Plibrico Company, LLC	2
The Jamar Company	3

In the evaluation, staff determined that the experience of the low bidder, Capital City Boiler and Machine Works, is mostly for low pressure boilers around 100-150 psi, much smaller and lower risk than the Power Plant’s large, super-heated boilers that provide pressures greater than 1,250 psi. The bid specification asked for references of similar maintenance repair and rebuild work performed over the past three years. Including low pressure boiler references, this company also listed the City of Ames as a reference. The last work at the Power Plant by this company, however, was 23 years ago. There were no other references with equipment similar to that at the City Power Plant. The experience information indicates the company primarily performed pad weld with very minimal tube replacement work.

This lack of experience with the types of boilers and the pressures the power plant operates at are concerning for plant staff to the point that staff can not recommend the selection of the apparent low bidder. Staff is recommending awarding the contract to the second low bidder, Plibrico.

Invoices will be based on contract rates for time and materials for services actually received and accepted by the City. The FY 2019/20 budget includes \$250,000 for these services. The bidding documents call for a contract to be awarded in an amount not to exceed that amount.

ALTERNATIVES:

1. Award a contract to Plibrico Company LLC, Omaha, NE, for the Power Plant Boiler Maintenance Services Contract for unit prices bid in a total amount not to exceed \$250,000.
2. Award the contract to apparent low bidder.
3. Award the contract to the other bidder.
4. Reject all bids and send out another request for bid

CITY MANAGER'S RECOMMENDED ACTION:

It is important to have a highly skilled company to perform maintenance services on the City's power plant boilers. These boilers operate at high temperatures and under high pressures. Work may be scheduled or required under short notice conditions. Having a contract in place allows for quick response time at a predetermined cost.

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

Attachment 1

BID NO. 2019-123: BOILER MAINTENANCE SERVICES BID SUMMARY

BID ITEM		Capital City Boiler & Machine Works, Inc. Des Moines, IA			Plibrico Company, LLC Omaha, NE			The Jamar Company Duluth, NN 55807		
		Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)
LABOR: BOILERMAKER										
Day Shift	Journeyman	\$ 70.00	\$ 105.00	\$ 135.00	\$ 87.07	\$ 129.78	\$ 185.77	\$ 96.89	\$ 113.11	\$ 179.36
	Foreman	\$ 75.00	\$ 107.50	\$ 137.50	\$ 91.27	\$ 135.94	\$ 193.90	\$ 101.58	\$ 144.78	\$ 187.99
	General Foreman	\$ 76.00	\$ 108.50	\$ 138.50	\$ 94.05	\$ 140.03	\$ 199.29	\$ 104.72	\$ 149.23	\$ 193.75
	Superintendent	\$ 77.00	\$ 109.50	\$ 139.50	\$ 101.07	\$ 150.33	\$ 212.87	\$ 111.00	\$ 158.12	\$ 205.25
Night Shift	Journeyman	\$ 71.00	\$ 105.00	\$ 136.00	\$ 87.42	\$ 130.15	\$ 186.16	\$ 100.02	\$ 142.55	\$ 185.11
	Foreman	\$ 76.00	\$ 107.50	\$ 138.50	\$ 91.62	\$ 136.31	\$ 194.29	\$ 104.72	\$ 149.23	\$ 193.75
	General Foreman	\$ 77.00	\$ 108.50	\$ 139.50	\$ 94.42	\$ 140.42	\$ 199.71	\$ 107.86	\$ 153.68	\$ 199.49
	Superintendent	\$ 78.00	\$ 109.50	\$ 140.50	\$ 101.42	\$ 150.70	\$ 213.26	\$ 114.13	\$ 162.56	\$ 211.01
LABOR: LABORER		Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)
Day Shift	Journeyman	\$ 65.00	\$ 90.00	\$ 110.00	See breakout of laborers below			\$ 58.76	\$ 77.49	\$ 96.20
	Foreman	\$ 65.00	\$ 92.50	\$ 112.50				\$ 60.32	\$ 79.70	\$ 99.07
	General Foreman	\$ 70.00	\$ 105.00	\$ 135.00				n/a	n/a	n/a
	Superintendent	\$ 75.00	\$ 107.50	\$ 137.50				n/a	n/a	n/a
Night Shift	Journeyman	\$ 65.00	\$ 91.00	\$ 111.00				\$ 61.87	\$ 81.91	\$ 101.94
	Foreman	\$ 66.00	\$ 93.00	\$ 123.00				\$ 63.42	\$ 84.10	\$ 104.79
	General Foreman	\$ 71.00	\$ 106.00	\$ 136.00				n/a	n/a	n/a
	Superintendent	\$ 76.00	\$ 108.50	\$ 138.50				n/a	n/a	n/a
LABOR: MILLWRIGHT		Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)
Day Shift	Journeyman	\$ 70.00	\$ 105.00	\$ 135.00	\$ 63.48	\$ 83.30	\$ 103.12	n/a	n/a	n/a
	Foreman	\$ 75.00	\$ 107.50	\$ 137.50	\$ 64.91	\$ 85.38	\$ 105.86	n/a	n/a	n/a

BID ITEM		Capital City Boiler & Machine Works, Inc. Des Moines, IA			Plibrico Company, LLC Omaha, NE			The Jamar Company Duluth, NN 55807		
		Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)
LABOR: MILLWRIGHT										
Day Shift	General Foreman	\$ 76.00	\$ 108.50	\$ 138.50	\$ 67.77	\$ 89.55	\$ 111.34	n/a	n/a	n/a
	Superintendent	\$ 77.00	\$ 109.50	\$ 139.50	\$ 69.20	\$ 91.64	\$ 114.08	n/a	n/a	n/a
Night Shift	Journeyman	\$ 71.00	\$ 105.00	\$ 136.00	\$ 63.48	\$ 83.30	\$ 103.12	n/a	n/a	n/a
	Foreman	\$ 76.00	\$ 107.50	\$ 138.50	\$ 64.91	\$ 85.38	\$ 105.86	n/a	n/a	n/a
	General Foreman	\$ 77.00	\$ 108.50	\$ 139.50	\$ 67.77	\$ 89.55	\$ 111.34	n/a	n/a	n/a
	Superintendent	\$ 78.00	\$ 109.50	\$ 140.50	\$ 69.20	\$ 91.64	\$ 114.08	n/a	n/a	n/a
LABOR: STEAMFITTER										
Day Shift	Journeyman	\$ 70.00	\$ 105.00	\$ 135.00	\$ 74.49	\$ 105.91	\$ 137.30	n/a	n/a	n/a
	Foreman	\$ 75.00	\$ 107.50	\$ 137.50	\$ 82.50	\$ 117.61	\$ 152.70	n/a	n/a	n/a
	General Foreman	\$ 76.00	\$ 108.50	\$ 138.50	\$ 85.17	\$ 121.51	\$ 157.83	n/a	n/a	n/a
	Superintendent	\$ 77.00	\$ 109.50	\$ 139.50				n/a	n/a	n/a
Night Shift	Journeyman	\$ 71.00	\$ 105.00	\$ 136.00	\$ 82.49	\$ 117.59	\$ 152.67	n/a	n/a	n/a
	Foreman	\$ 76.00	\$ 107.50	\$ 138.50	\$ 91.70	\$ 131.06	\$ 170.39	n/a	n/a	n/a
	General Foreman	\$ 77.00	\$ 108.50	\$ 139.50	\$ 94.78	\$ 135.56	\$ 176.32	n/a	n/a	n/a
	Superintendent	\$ 78.00	\$ 109.50	\$ 140.50	not shown	not shown	not shown	n/a	n/a	n/a
Labor in Addition to Items on Bid Form:										
Labor Bricklayers/Refractory Masons										
Day/ Night Shift	Journeyman				\$ 62.02	\$ 81.29	\$ 100.55			
	Foreman + 2 men				\$ 66.37	\$ 87.60	\$ 108.83			
	Foreman + 3 men				\$ 67.10	\$ 88.65	\$ 110.21			
	General Foreman				\$ 81.60	\$ 109.70	\$ 137.81			
Labor Bricklayers/Refractory Masons										
Day/ Night Shift	Journeyman				\$ 44.51	\$ 59.11	\$ 73.71			
	Foreman				\$ 45.96	\$ 61.22	\$ 76.47			
	General Foreman				\$ 46.69	\$ 62.27	\$ 77.85			

BID ITEM	Capital City Boiler & Machine Works, Inc. Des Moines, IA	Plibrico Company, LLC Omaha, NE	The Jamar Company Duluth, NN 55807
TRAVEL & SUBSISTENCE			
Description	Rate	Rate	Rate
Subsistence:			
Supervisors	\$85.00 per day	\$125 per day	\$125.00 per day
Craft	\$85.00 per day	\$75 per day	\$125.00 per day
Description	Rate	Rate	Rate
Travel & Mileage:			
Supervisor travel	\$77.00 per	per Journeyman straight time rate	\$111.00 per straight time hour
Supervisor mileage	\$1.00 per	\$.75 per mile	n/a
Craft travel	\$65.00	only if applicable at craft; journeyman rate	\$96.89 per straight time hour
Craft mileage		Boilermakers do not receive travel or mileage unless they are hauling tools or equipment to be used for maintenance contract services. All other crafts, if local (within 50 miles) do not receive travel or mileage. No craft receives mileage unless requested to haul tools or equipment in their person vehicle to be used for maintenace contract services.	n/a
Description	Rate	Rate	Rate
Deliveries:			
Travel	\$65.00 per	Laborer journeyman rate	Cost plus 10%
Mileage	\$1.00 per	\$1.00 per mile	n/a

BID ITEM Description	Capital City Boiler & Machine Works, Inc. Des Moines, IA	Plibrico Company, LLC Omaha, NE	The Jamar Company Duluth, NN 55807
	Rate	Rate	Rate
MISC.			
Safety supplies & equipment	Cost plus 5%	Equipment rented Cost plus 10%	n/a included in rates
Miscellaneous materials & consumables	Cost plus 12%	Cost plus 10%; materials in stock at warehouse prices	Cost plus 5%. Small tools and consumables included in rates.
Equipment & Tools	Bid Form shows equipment and tools	Tools and equipment lists submitted including tools & equipment list no charge to COA	Equipment billed in accordance with Jamar's Equipment Rental Program dated 06/01/18, D level
Safety Equipment	Bid Form shows safety equipment	Bid Form shows safety equipment	Safety equipment billed in accordance with Jamar's Equipment Rental Program dated 06/01/18, D level
PROPOSED PRICE INCREASES FOR RENEWAL PERIODS			
Labor	Factor: Labor effective year	Boilermaker contract 01/01/2020 All other crafts 06/01/2020	Boilermaker rates 01/01/19 to 12/31/19; Laborer rates 12/01/18 to 11/30/19
Travel & Subsistence	5% per year	0% per year	0% per year
Equipment & Tools	nothing shown	0% per year	0% per year
OTHER			
Location & response time	Des Moines; on call 24 hrs; on job 4-6 hrs.	Office in Omaha. NDE subcontractor if required. Emergency response 2-3 hours. Non-emergency response time is 4-6 hours	Process and response shown on BidForm
Proposed Subcontractors & scope of work	Form submitted, but subcontractor information not shown	DBI, Inc. NDE subcontractor if required; Crane Rental and Rigging if required; cornerstone Insulation and Lagging if required; Hartford Steam Boiler, Authorized Inspector if required	Gagnon - Insulation/Scaffold Service; Platinum - Scaffold Service

BID ITEM	Capital City Boiler & Machine Works, Inc. Des Moines, IA	Plibrico Company, LLC Omaha, NE	The Jamar Company Duluth, NN 55807
RESPONSIVENESS:			
Bid Signed	Yes	yes	yes
Bid Security	5% bid bond	5% bid bond	5% bid bond
Proposed Subcontractors/Suppliers list	Form submitted	Form submitted	yes; both completed & signed by proposed subcontractor
Bidder Certification Regarding Sales Tax	yes	yes	yes
Bidder Status Form	no	yes	yes
Qualifications	see letter	references	Statement of Qualifications submitted; also letters of recommendation
References	COA	yes	yes
Response time	shown on bid form	shown on bid form	shown on Bid Form
Material rate sheet	Equipment & tools list on Bid Form	tool rental sheet	Staff rate sheet shows trucks & drivers; salaried personnel; custom fabrication rate
Exceptions	none shown	none shown	none shown

Example Work Scenario for Boiler Maintenance Services

Description	Capital City Boiler & Machine Works, Inc.	Plibrico Company, LLC	The Jamar Company
Labor:	\$16,295.00	\$19,059.98	\$19,067.52
Subsistence:	\$2,040.00	\$2,100.00	\$3,000.00
Travel:	\$272.00	\$870.70	\$2,209.19
Mileage:	\$70.00	\$255.00	\$132.00
Total:	\$18,677.00	\$22,285.68	\$24,408.71

The scenario was based on 10 hour days starting on a Tuesday and going through Saturday. One foreman, two certified welders, and one laborer.

COUNCIL ACTION FORM

**SUBJECT: POWER PLANT UNIT 7 TURBINE GENERATOR OVERHAUL
PROJECT – AWARD OF CONTRACT**

BACKGROUND:

On April 23, 2019 the City Council approved plans and specifications for the Unit 7 Turbine Generator Overhaul Project. The Unit 7 Turbine Generator is scheduled to be disassembled, inspected, and repaired at the same time as the Unit 7 Boiler Repair Project. This work is required to replace worn parts and inspect the turbine and generator for repairs that may be needed to prevent unplanned turbine/generator outages, prevent costly turbine/generator damage, and increase turbine/generator reliability.

Repairs and replacement of worn parts will be completed as the inspection progresses. Experience has shown that certain parts require replacement every major overhaul and some parts become unusable during the disassembly process. This overhaul and parts replacement is required and recommended by boiler and machinery insurance carriers and follows accepted industry standards. **This bid is for labor and materials for the inspection and repairs Unit 7 Turbine Generator. There is a separate bid for spare parts that are made available to the contractor for this repair.**

Bid documents were issued to sixty-one firms and three plan rooms. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage and a Legal Notice was published on the websites of a contractor plan room service with statewide circulation and the Iowa League of Cities.

On May 23, 2019, five bids were received as shown on the attached report. These bids were reported to City Council on May 28, 2019. Award of contract was delayed in order to allow sufficient time for evaluation in order to recommend an award that best meets the City's needs.

Staff reviewed the bids received and determined that lowest responsive, responsible bidder HPI, LLC of Houston, TX is qualified to perform the necessary work and has the capacity to complete the project within the timeframe required. Staff recommends an award of contract to HPI, LLC of Houston, TX for base bid in the amount of \$411,464.00 is in the best interest of the City. This vendor is not licensed to collect taxes for the State of Iowa. The City of Ames will pay applicable sales tax directly to the State of Iowa.

The Engineer's estimate for the cost of the total project is \$2,440,000.

The approved FY 2018/19 Capital Improvements Plan includes the following funding for the Unit 7 Turbine Generator Overhaul.

2017/18 Engineering/Parts	\$750,000
2018/19 Labor/Materials	\$1,500,000*
2018/19 GE Tech Support	<u>\$300,000</u>
TOTAL	\$2,550,000

***The funding for this contract is included
in the \$1,500,00 for Labor/Materials**

ALTERNATIVES:

1. Award a contract to HPI, LLC of Houston, TX for the Unit 7 Turbine Generator Overhaul Project for base bid in the amount of \$411,464.00.
2. Reject all bids and direct staff to rebid.

MANAGER'S RECOMMENDED ACTION:

This project will complete an overhaul of Unit 7 Turbine Generator. It is crucial to perform this work in a timely fashion in order to maintain compliance with the Turbine Generator and maintain reliability.

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

BIDDER:	ITB 2019-120 UNIT 7 TURBINE GENERATOR OVERHAUL BID SUMMARY				
	HPI, LLC Houston, TX	CT Cotter Turbine Services, Inc Clearwater MN	GE, Windsor, CT	PSG Co, Turbine Generator Maintenance, Cape Coral, FL	MD&A Latham, NY
BASE BID:					
Supply all materials, labor, and equipment to perform steam turbine generator major overhaul including the replacement of parts, inspection and repairs necessary for Unit 7 Turbine Generator as specified in the Invitation to Bid 2019-120 documents for the following lump sum amounts of:	\$411,464.00	\$437,830.00	\$525,029.00	\$649,900.00	\$811,112.00
Sales and/or Use taxes included in the amount above			To be determined by COA	\$43,863.00	\$0.00
ALTERNATE No. 1:					
Major Repair of First Stage Nozzle Parts:	\$11,797.00	\$15,600.00	\$16,593.00	\$11,100.00	\$12,165.00
ALTERNATE No. 1A:					
Major Repair of First Stage Nozzle Parts:	\$15,870.00	\$10,800.00			
ALTERNATE No. 2:					
Major Repair of First Stage Deflector:	\$43,378.00	\$47,520.00	\$22,417.00	\$14,900.00	\$28,910.00
ALTERNATE No. 2A:					
Major Repair of First Stage Deflector:		\$34,450.00			
ALTERNATE No. 3:					
Major Repair of First Stage Rotating Blades & Diaphragms (Stationary Blades):	\$41,119.00	\$32,100.00		\$46,000.00	\$50,080.00
ALTERNATE No. 4:					
Major Repair of Second thru Fifth Stage Rotating Blades:		No Bid			
ALTERNATE No. 5:					
Major Repair of Second thru Fifth Stage Diaphragms (Stationary Blades):		\$107,000.00	\$71,732.00	\$38,600.00	\$73,716.00
ALTERNATE No. 5A:					
Major Repair of Second thru Fifth Stage Diaphragms (Stationary Blades):		\$102,240.00			
ALTERNATE No. 6:					
Major Repair of 12th thru 15th Stage Diaphragms (Stationary Blades):					
ALTERNATE No. 7:					
Major Repair of 12th thru 15th Stage Rotating Blades:					
ALTERNATE No. 8:					
Surface Preparation and Re-coating internals of Main Lube Oil Tank	No Bid			\$24,400.00	No Bid
ALTERNATE No. 10:					
Provide Two (2) On-Site Turbine Specialist during Outage	Included in base bid	1) included in base bid	\$117,576.00	\$2,800/Weekday, \$3,600/Weekend Day	1) included in base bid
ALTERNATE No. 10B					
Provide Two (2) On-Site Turbine Specialist during Outage			\$123,696.00		
ALTERNATE No. 11:					
Provide One (1) On-Site Generator Specialist during Outage	Included in base bid	included in base bid		\$2,500/Weekday, \$3,300/Weekend Day	\$24,090.00
ALTERNATE No. 12:					
Repowering and Boring (re-pour Babbitt) of Four Main Shaft Journal Bearings:	\$27,892.00	-	\$64,571.00	\$25,550.00	\$30,172.00
ALTERNATE No. 13:					
Turbine Rotor Low Speed Spin Balance	\$27,537.00	\$25,260.00	\$42,857.00	\$23,000.00	\$40,000.00
GRAND TOTAL	\$563,187.00	\$665,310.00	\$860,775.00	\$877,313.00	\$1,070,245.00

ITB 2019-120 UNIT 7 TURBINE GENERATOR OVERHAUL BID SUMMARY					
BIDDER:	HPI, LLC Houston, TX	CT Cotter Turbine Services, Inc Clearwater MN	GE, Windsor, CT	PSG Co, Turbine Generator Maintenance, Cape Coral, FL	MD&A Latham, NY
Alternate Pricing Offered:					
Option 1 In Shop Rotor Blast		\$23,220.00			
Option 2 Clean & Inspect		\$11,640.00			
Option 3 Shipping Single driver w/ truck		\$6,900.00		\$2,700.00	
Option 3 Shipping Single driver w/ different truck		\$3,450.00			
Oil Flush	\$86,135.00				
Credit for performing a 24-hour Maintenance Oil Flush in lieu of High Velocity Oil Flush				-\$40,000.00	
Full Crew Mob/DeMob				\$32,400.00	
GE Alt #1-Generator Test & Inspect			\$26,323.00		
GE Alt #2 - Startup Specialist (2daysx10 hr days)			\$17,694.00		
GE Alt #3-Exciter Specialist (2daysx10hr days)			\$17,694.00		
GE Alt #4 - Performance Bond			\$5,000.00		
Alternate or Additional Pricing Proposed					

ITEM: 18
DATE: 06-11-19

COUNCIL ACTION FORM

SUBJECT: CONTRACT RENEWAL - ELECTRIC UTILITY POLES

BACKGROUND:

This contract is for the purchase of electric utility poles needed to meet the anticipated needs of the Electric Services Department for new construction and maintenance. These poles will be purchased from an Electric Department inventory asset account and charged to the appropriate operations accounts as the poles are put into use. Generally, over a million dollars in assets are available in the Electric inventory at any given time for use in new service and maintenance activities.

On June 26, 2018, City Council awarded a contract to Baldwin Pole & Piling, Des Moines, Iowa, for the purchase of these electric utility poles in accordance with unit prices bid. This contract included the option for the City to renew in one-year increments for up to four additional years. **This is the first renewal out of four possible renewal periods, providing electric utility poles from July 1, 2019 through June 30, 2020. Council should note that there is a zero percent price increase for the 2019-2020 fiscal year.**

Under this contract, poles would be purchased at the City's discretion which may be quarterly or on an as-needed basis. This provides the City with flexible inventory management and helps to reduce the need for storage space. Bid prices are exclusive of sales taxes, which are applicable to the purchase of this equipment and are paid directly by the Utility. **Council should note that no contract amount is being authorized at this time, since payments will be made as these poles are purchased.**

ALTERNATIVES:

1. Award a contract for FY 2019/20 to Baldwin Pole & Piling, Inc., Des Moines, Iowa, for the purchase of electric distribution utility poles in accordance with unit prices bid.

Poles will be purchased as requested. Payments will be based on unit prices bid and actual quantities ordered, plus applicable sales taxes.

2. Reject all bids and attempt to purchase electric utility poles on an as needed basis at unpredictable prices.

MANAGER'S RECOMMENDED ACTION:

It is important to purchase distribution utility poles at the lowest possible cost with minimal risk to the City. It is also imperative to have these poles available to meet customer needs for new service or emergency replacements.

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



MEMO

To: Mayor and Members of the City Council

From: City Clerk's Office

Date: June 11, 2019

Subject: Contract and Bond Approval

There is/are no Council Action Form(s) for Item No 19. Council approval of the contract and bond for this/these project(s) is simply fulfilling a *State Code* requirement.

/alc



Item #20a

Smart Choice

TO: Mayor John Haila
Gloria Betcher
Tim Gartin
David Martin
Chris Nelson
Amber Corrieri
Bronwyn Beatty-Hansen
Devyn Leeson
Steve Schainker, City Manager

FROM: Dan Culhane, CEcD, CCE
President & CEO
Ames Economic Development Commission

DATE: June 6, 2018

RE: **Annual Report to the City of Ames**

The Ames Economic Development Commission (AEDC) is pleased to provide this annual summary of activities per our agreement with the City of Ames. We have enjoyed another exceptional year of activity in a number of categories. The AEDC board of directors appreciates your steadfast support and recognizes the prominent partner the City of Ames is to the economic development process here in our community.

The last twelve months have provided exceptional opportunities that the AEDC is proud to have played a role within. Following is a summary of our activities:

- **Prairie View Industrial Center**, with over 1,300 acres and 700 of those acres under option, continues to generate major interest while we wait for the deployment of sanitary sewer and water utilities.
- Site Certification on this area in partnership with the Iowa Economic Development Authority and Alliant Energy, Prairie View's utility provider for natural gas and electricity, will be complete once the City infrastructure is completed.
- The AEDC assisted 3M in their September 2018 announcement of a \$27.8 million expansion that will create another 27 jobs at their Dayton Avenue facility.
- The **John Deere Innovation Center** is nearly completed and their groundbreaking is slated for July 22nd.
- The AEDC connected U.S. Department of Commerce Economic Development Administration (EDA) program for the \$1.7 million grant for road and utility improvements awaits extension of the roadway along with other infrastructure. This is a huge asset and benefit to Ames and the Iowa State University Research Park.
- **Collins Aerospace** opened an R&D facility in the ISU Research Park in the fall of 2018.
- ISU Research Park based Vertex, a local start-up, pledged in February to create 300 new jobs with an average wage of over \$80,000 annually. The company will break ground this year on a new 64,000 square foot facility and invest over \$30 million in the Ames community.
- The AEDC, once again, won the State's highest **Business Retention & Expansion Award** in May for excellence in working with existing industry, specifically for the Burke Corporation expansion in Nevada, presented by the Professional Developers of Iowa. This is relevant as the City of Ames played a major role in its willingness to provide services to the company for temporary acceptance of waste in the event the company needs it until the City of Nevada water treatment plant is completed.
- **Performance Livestock Analytics** recently expanded into the CPMI building in the ISU Research Park pledging to increase their employment levels from 27 people currently to 53 in the next three years.
- With the nation's lowest unemployment, currently at 1.3%, our Workforce Solutions programming is doing exceptionally well and there are numerous metrics to validate that – web hits, intern attendance at

events, job fairs hosted, etc. This statement is supported by the fact that over 20 local companies, including the City of Ames, are providing financial support to augment the program.

- The AEDC continues to support Start Up Ames, a peer group of local entrepreneurs, by facilitating their events, including **One Million Cups** that occurs every Wednesday morning at 7:30 AM and rotates between the ISU campus and downtown Ames.
- The Ames Seed Capital, LLC raised a record **\$4.25 million** for investment in early stage companies and has invested nearly \$1 million in local start-up opportunities.
- At the May board meeting of the AEDC board of directors we reported 23 active projects are in our system.
- The AEDC conducted two roundtables with local housing developers to discuss ways to increase housing opportunities and that feedback will be reported in the coming weeks.

Ames Ranks Highly and the AEDC advocates and promotes the wide array of accolades the Ames Metropolitan Statistical Area continues to accumulate. Here are a few from 2018 and 2019.

- #7 - "Top 10 Cities for Career Opportunities in 2019" (SmartAsset, 2019)
- #4 - "Best Places for Millennials to Move" (Reviews.org, 2019)
- #39 - "Best Small Cities for Business" (Chamber of Commerce, 2019)
- #1 - "10 Best States in America for Jobs" (Zippia, 2019)
- #33 - "Top 100 Places to Live in 2019" (Livability, 2019)
- **Home of the Best "US Metro Job Market" (CNBC, 2018)**
- One of the "9 Great Off-the-Beaten-Path Towns Where You Should Live" (House Method, 2018)
- **#1 - "Best College Towns in America" (24/7 Wall St., 2018)**
- "Top 10 Best College Towns" (Livability, 2018)
- #1 - "The Top 10 Cities for Career Opportunities in 2018" (SmartAsset, 2018)
- #1 - "The Best Affordable College Towns for Recent Grads—and Everyone Else" (Realtor.com, 2018)
- #1 - "Best Cities for Working Parents" (SmartAsset, 2018)
- Ames named an "Up-and-Coming Tech Hotspot" (Livability, 2018)

- "Top 5 Small Metro Areas for Retirees to Age Successfully"
(Investopedia, 2018)

Our web presence and social media play a significant role in telling the story and getting the message in front of a variety of audiences. Below are recent statistics on our websites and social media platforms.

Website: www.AmesEDC.com.....	13,561 visits
AEDC Facebook.....	567 Likes
AEDC Twitter	1,179 Followers
WorkInAmes Facebook	1,266 Likes
See Yourself In Ames Facebook.....	239 Likes
WorkInAmes Twitter	418 Followers
See Yourself In Ames Twitter.....	178 Followers
Current Jobs on WorkInAmes.com.....	1,451 Available Jobs
WorkInAmes.com Job Searches (6/1/18-5/31/19)	91,307 Searches

We appreciate the partnership with the City of Ames and the AEDC leverages the financial commitment of the City very well. The City of Ames \$165,000 (\$90,000 Marketing, \$60,000 Business Development position, \$15,000 Workforce Solutions) investment in the AEDC leverages another \$1.2 million in capital that is committed by other AEDC investors to underwrite the efforts of the organization. An additional \$100,000 in private investment has been added to the organizational budget in the last year.

What do these dollars underwrite?

- Business Retention & Expansion
- Business Recruitment and Prospect Development
- Retail recruitment
- External Marketing Program - domestic and international
- Advocacy for new business park sites and speculative building development
- Workforce Solutions - See Yourself In Ames internship program, workinames.com - jobs website, Home Base Iowa programming, SCALE

- program connecting students from K-12 with local employers. We had over 150 local interns at our first event of 2019, two weeks ago.
- AEDC is currently a sponsor of the Technology Association of Iowa's (TAI) Iowan Project – this is our effort to support current as well as future growth in the technology sector in Ames marketing job opportunities to 3500 Iowa expats that are participating in meet-up events held in Twin Cities and Denver. Ames as well as our technology companies are featured in the TAI bi-monthly newsletters.
 - Currently sponsoring Career Services program through the ISU Alumni Association – this allows us to support and sponsor focused marketing on ISU alumni that are seeking job hunting resources from the Alumni Association on a monthly basis.
 - The AEDC is actively participating in and out of State in virtual career fairs. Since January 1, 2019 we have collected more than 2200 names/leads through these efforts. We continue to market our job opportunities and quality of life to these leads on behalf of our local employers seeking employees.
 - Working with the Start-Up community and supporting that in a number of ways, including the Ames Seed Capital Fund.
 - Meeting and mentoring various small business opportunities that are not always eligible for traditional financial incentives or seed capital assistance.
 - Working with the private development community on a wide range of projects across the community.

The AEDC performs this work, and more, as prescribed by our contractual obligation to the City of Ames on behalf of the Ames community. We enjoy the work we do for Ames and look forward to continuing our long-standing partnership.

##

COUNCIL ACTION FORM

SUBJECT: AMES ECONOMIC DEVELOPMENT COMMISSION 2019/20 FUNDING CONTRACT

BACKGROUND:

The City's FY 2019/20 adopted budget includes funds for the Ames Economic Development Commission (AEDC) to conduct economic development activities on behalf of the City. The agreement provides \$150,000 to the AEDC in exchange for two main services: \$90,000 of this amount purchases business recruitment and marketing services, and the remaining \$60,000 continues funding the services of the City Business Development Coordinator, who provides guidance to prospective businesses and developers as they navigate the development process.

The City Council has separately contracted with AEDC for its workforce development initiative (\$15,000) for FY 2019/20. This initiative was supported through the Outside Funding Request process and a contract for that work has already been approved.

ALTERNATIVES:

1. Approve the attached Ames Economic Development Commission agreement for FY 2019/20.
2. Do not approve the Ames Economic Development Commission agreement for FY 2019/20.

CITY MANAGER'S RECOMMENDED ACTION:

The City Council has allocated funds in the City Budget for FY 2019/20 for economic development activities. The City Council has historically contracted with AEDC to conduct these activities on behalf of the City.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the attached Ames Economic Development Commission agreement for FY 2019/20.

CONTRACT FOR ECONOMIC DEVELOPMENT SERVICES

THIS AGREEMENT, made and entered into the 1st day of July, 2019, by and between the CITY OF AMES, IOWA, a municipal corporation organized and existing pursuant to the laws of the State of Iowa (hereinafter called "City") and the Ames Economic Development Commission, an adjunct of the Ames Chamber of Commerce (hereinafter called the AEDC);

WITNESSETH THAT:

WHEREAS, the City of Ames desires to purchase certain services from said organization in lieu of hiring additional permanent staff and expending additional City funds to accomplish these services;

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

I

PURPOSE

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

II

SCOPE OF SERVICES

A. In consideration for the payment of \$90,000 in accordance with Section III, the AEDC shall provide the following economic development-related services to the City of Ames and its citizens during the term of this agreement:

1. The AEDC will serve as the lead contact for business representatives hoping to locate in Ames or to expand in our community. In this capacity the President of the AEDC will respond to information requests, coordinate the completion and submittal of state and local incentive applications, and show available industrial and commercial sites to prospects.
2. The AEDC will visit annually with all major companies to identify challenges and opportunities facing Ames businesses.
3. The AEDC will serve as the primary marketing entity for business recruitment to highlight Ames.
4. The AEDC will deploy an aggressive marketing campaign that will focus on targeted industries such as ag-biotechnology and advanced manufacturing businesses that do not overtax our infrastructure.
5. The AEDC will invest in significantly revising its marketing materials including website, brochures, and proposal packets to better reflect the image of Ames as a great place to do business.

B. In consideration for the payment of \$60,000 in accordance with Section III, the AEDC shall provide the following economic development marketing and liaison services related to the City of Ames and its citizens during the term of this agreement by maintaining a jointly funded Business Development & Marketing position to carry out the following duties and tasks:

1. Focus on the development of “small” or new businesses start-ups in the retail, commercial, and industrial sectors by: a) assisting with the recruitment and/or expansion of these types of businesses in the community; b) assisting entrepreneurs as they navigate through the various City, State, and Federal approval processes; and c) assisting entrepreneurs in obtaining the services available through the Small Business Development Center.
2. Serve as the City Economic Development Liaison; work closely with developers and clients that need assistance in working through the City of Ames approval processes. This will include periodic meetings with the City Manager to keep him apprised of progress related to serving in the Liaison capacity.
3. Provide input on communication pieces that will highlight the efforts of the AEDC and the City of Ames related to the positive developments in the community where the City and/or the AEDC have played an integral role.
4. Implement an aggressive marketing plan focused on targeted industries that dovetail with the competencies of Iowa State University related to food and nutrition technology, plant biotechnology, information technology, and animal science. These efforts should not be limited to the aforementioned, as the AEDC service territory includes site options for advanced manufacturing and distribution facilities.
5. Maintain frequent communication with stakeholders such as the Iowa Department of Economic Development, Alliant Energy, Iowa State University, and partners of the Ames-Des Moines Corridor.
6. Maintain a current list of active projects via the AEDC’s internal project tracking system.
7. Maintain a current list of consultants and site selectors for periodic mailings and contacts in various markets so that the AEDC has a fresh list to choose from when visiting various locations around the U.S.
8. Review and analyze potential recipients of assistance from various economic development incentive offering entities.
9. Assist other AEDC/Ames Chamber of Commerce staff in responding to inquiries and working with economic development prospects, consultants, and supplier contacts, as needed.
10. Provide input into the overall plan of the AEDC and assist in its implementation where appropriate.
11. The position will be jointly supervised by the President and CEO of the Ames Economic Development Commission and the Ames City Manager. As such, perform work as assigned by the City Manager related to the liaison activities and the President and CEO of the AEDC related to marketing activities.

III

METHOD OF PAYMENT

A. All payments to be made by the City of Ames pursuant to Section II.A of this Agreement shall be reimbursement for actual costs incurred by AEDC in providing services required by Section II.A above. Payments made by the City of Ames pursuant to Section II.B of this Agreement shall be made in advance of services provide per terms in section III B of this Agreement.

B. The City will disburse payments twice annually on requisitions of the AEDC in January and July of each year. Requisitions for services pursuant to Section II.A will be on a reimbursement basis and reflect cost for delivery of services for the prior six months. Requisitions for services pursuant to Section

II.B will be one-half (\$30,000) of the City's annual contribution for the jointly funded position and paid in advance. If the jointly held position is vacant for more than 30 days, AEDC will provide the City with a pro-rata refund for the payment made in advance.

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

C. The maximum total amount payable by the City of Ames under this agreement is \$150,000 as detailed in the SCOPE OF SERVICES (Section II of this contract), and no greater amount shall be paid.

IV

FINANCIAL ACCOUNTING AND ADMINISTRATION

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

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

C. All costs for which reimbursement is claimed shall be supported by documentation evidencing in proper detail the nature and propriety of the charges. All checks or other accounting documents pertaining in whole or in part to this Agreement shall be clearly identified as such and readily accessible for examination and audit by the City or its authorized representative.

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

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

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

V

REPRESENTATION ON THE BOARD OF DIRECTORS

It is agreed that the City of Ames will be guaranteed three representatives on the AEDC Board of Directors (two City Council members appointed by the Mayor, and the City Manager). Furthermore, the City Manager will be guaranteed membership on the Executive Committee of the Board of Directors.

VI

SUMMARY REPORT

The AEDC further agrees to provide the City of Ames a written report no later than June 15, 2020, summarizing the accomplishments of the activities promised in Section II.

VII

DURATION

This Agreement shall be in full force and effect from and after July 1, 2019, until June 30, 2020.

VIII

DISCRIMINATION PROHIBITED

In accordance with Chapter 14 of the Municipal Code, no person shall, on the grounds of age, race, color, creed, religion, national origin, disability, sexual orientation, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this Agreement.

IN WITNESS WHEREOF the parties hereto have, by their authorized representatives, set their hand and seal as of the date first above written.

CITY OF AMES, IOWA

ATTEST:

BY _____

John A. Haila, Mayor

Diane Voss, City Clerk

AMES ECONOMIC DEVELOPMENT COMMISSION

BY _____

Daniel A. Culhane, President/CEO

COUNCIL ACTION FORM

SUBJECT: FY 2018-19 YEAR-END SUSTAINABILITY REPORT

BACKGROUND:

On July 1, 2010, the City entered into a contract with Iowa State University to utilize the services of its full-time Director of Sustainability. The contract covers a maximum of 480 hours annually (or no more than 25 percent of the Director of Sustainability's time). The Initial Scope of Services focused on the reduction of electric consumption. As additional opportunities and needs have been identified related to sustainability, the Scope of Services has expanded and diversified. During FY 2018-19, in keeping with the Council's direction, the Scope of Services targets priority areas related to energy consumption reduction, as well as adding waste reduction and diversion. These areas include the following:

- 1) Continue to work with the Public Works and Water & Pollution Control Departments on reuse and diversion programs related to the waste stream, including but not limited to the exploration of a composting and food waste program.
- 2) Continue to support and strengthen the Smart Business Challenge through outreach and recruitment of participants, oversight of Challenge interns, and marketing of outcomes and accomplishments of Challenge participants.
- 3) Continue to represent the City at events that educate residents about ongoing City sustainability efforts, rebates, and waste reduction opportunities, including but not limited to the Eco Fair and WelcomeFest.
- 4) Coordinate the Rummage RAMPage at the Ames Intermodal Facility in partnership with staff from the Resource Recovery Plant, Public Relations, CyRide, and Iowa State University, to address concerns that usable housewares and furniture are being needlessly discarded and hard-to-process materials are being sent to the Resource Recovery Plant.
- 5) Continue to assist City departments in enhancing and updating the EcoSmart program web pages and all material on the City of Ames website related to sustainability and conservation. Continue to provide student feedback on improving our sustainability marketing and education materials.
- 6) Additional requests from Council – At its November 27, 2017 meeting, Council voted to engage Merry Rankin to come back to Council with proposals of ways the Council can partner with ISU to address carbon reduction. At its February 12,

2019 meeting, Council voted to engage Merry to facilitate a RFP to hire a consultant to complete a Greenhouse (GHG) Inventory.

PROGRESS ON SCOPE OF SERVICES:

1. ***Continue to work with Public Works Department and Water and Pollution Control Department on reuse and diversion programs related to the waste stream, including – but not limited to – the exploration of a composting and food waste program.***

Year-end FY 2019 accomplishments include the following for Priority Area #1:

- Completion of milestones related to the \$20,000 forgivable loan from the Iowa Department of Natural Resources exploring beneficial opportunities and options to improve the Resource Recovery Plant's (RRP) process and improve the quality of refuse derived fuel (RDF):
 - Receipt of final Waste Diversion Enhancement and Recommendation report by SCS Engineers was received and presented to Council.
 - Report areas of focus included the following impact areas:
 - RRP Suitable Materials Identification
 - Recycling and Composting Opportunity Assessment
 - Community Engagement
 - Comparison of Other Communities
 - Recommendations
 - Submission of final grant report.
 - Completion of mechanical changes in processing.
 - Completion of the addition of multiple air knives throughout the Resource Recovery Plant, resulting in a 10% increase of the recovery of beneficial refuse-derived fuel (RDF). Continued air knife additions are being explored and planned for next fiscal year toward achieving maximum performance.
 - Continued exploration related to the addition of an optical scanner and disc spreader to the Resource Recovery Plant, pending achievement of maximum RDF recovery through air knife inclusion.
 - Kick-off of study related to options for remodeling of current system or construction for a new combustion system using RDF.
 - Establishment of a drop-off location for used bicycles.

- Reuse opportunity for used bicycles offered as part of car line drop-off landfill diversion efforts.
 - Collaborative partnership with area bicycle repair shops and programs to offer refurbished bicycles to individuals and communities.
 - Kick-off of efforts toward offering additional “last chance” reuse programs.
- Development of a pilot food waste community compost program. Pilot will be offered July 1, 2019 – June 30, 2020. Upon completion of pilot year, the program will be analyzed and feedback collected in determining ongoing opportunities.
- More information available at www.CityofAmes.org/FoodWaste
 - Pilot project components include:
 - “Pay as you Compost” voluntary, drop-off program for food waste composting available to any Story County resident or business.
 - Participants can use their own collection containers or purchase a four-gallon collection bucket (with lid and educational and instructional labeling) as part of a participation package.
 - Two participation options:
 - Four-gallon container, five compost collection bags and a punch card for five compost drop-offs for \$20.
 - Five compost collection bags and a punch card for five compost drop-offs for \$10.
 - Locations for purchasing supplies include:
 - Ames Resource Recovery Center during regular business hours.
 - Ames City Hall Community Center Desk during regular business hours.
 - Drop-off sites include:
 - Ames Resource Recovery Center during regular business hours.
 - City of Ames Yard Waste Disposal Site (400 Freel Drive) during regular business hours.
 - Items accepted for composting include food preparation and leftover food waste such as coffee grounds, fruit, vegetables meat, shellfish, waste from indoor house plants (plants and

soil), and other items.

Collaboration Partners: City of Ames Public Works, Water and Pollution Control, Public Relations Office, Green R U, and SCS Engineers

2. Continue to support and strengthen the Smart Business Challenge through outreach and recruitment of participants, oversight of Challenge interns, and marketing of outcomes and accomplishments of Challenge participants.

Year-end FY2019 accomplishments include the following for Priority Area #2:

- Continued recruitment of additional businesses for a current total of 34 Smart Business Challenge participants (an increase of eight businesses from last year and includes the loss of one platinum business, Fighting Burrito), as well as efforts to certify additional current participants, resulting in one bronze, six silver, three gold and nine platinum certified businesses.
- Hosted the annual SBC Luncheon, facilitated by Mayor John Haila, on January 24, 2019, at Reiman Gardens. Ames business community members attending were able to interact with sustainability resource organizations, honor platinum certified businesses, and take part in discussions and dialogue about benefits and opportunities of joining the Challenge and exchange sustainability tips and ideas.
- Continued recognition of Challenge participants through publicizing success stories in City Side.
- Completion of video "stories" for new Challenge members offering perspectives on impacts and opportunities in joining the Challenge, underway for summer.
- Completion of Challenge Enhancement components related to increasing engagement and furthering the value to businesses in joining the Smart Business Challenge. Components will be effective August 2019.
 - Enhancements include the following:
 - Businesses have one year from the date of their original energy audit to receive a certification of at least the Bronze Level to ensure inclusion in all Challenge marketing and publicity materials.
 - Personalized annual check-ins through teleconference or one-on-one meeting with the Smart Business Challenge Team to provide resources and assistance as needed.
 - A re-certification process every three years a business is enrolled

in the Challenge to highlight additions and improvements made in their sustainability practice.

- Recognition for Platinum Businesses based upon the number of years they have maintained platinum (Example: Platinum 3, indicating a business has achieved platinum certification for three consecutive years).

Collaboration Partners: Ames Electric Services, Public Works, Water and Pollution Control, and Public Relations Office; The Energy Group; Iowa Department of Natural Resources' Iowa Waste Exchange Program, and Volunteer Center of Story County

3. Continue to represent the City at events that educate residents about ongoing City sustainability efforts, rebates, and waste reduction opportunities including – but not limited to – the Eco Fair and WelcomeFest.

Year-end FY2019 accomplishments include the following for Priority Area #3:

- Participated in the Ames Eco Fair planning meetings and event on April 20.
- Continued a monthly radio program on KHOI focused on community sustainability accomplishments, initiatives, and opportunities.
- Continued sharing of City of Ames sustainability efforts as part of speaking engagements.
- Continued sharing of City of Ames and Ames community volunteer opportunities and sustainability events via Live Green! Monthly newsletter, Live Green! social media platforms and targeted emails.
- Continued work with Ames Electric Services in moving forward on a community solar project. Focus on marketing, outreach, and public education opportunities.

1. Coordinate the Rummage RAMPage at the Ames Intermodal Facility in partnership with the Resource Recovery Plant, Public Relations, CyRide, and Iowa State University, to address concerns that usable housewares and furniture are being needlessly discarded and hard-to-process materials are being sent to the Resource Recovery Plant.

Year-end FY2019 accomplishments include the following for Priority Area #4:

- Completed four planning meetings for the 2019 Rummage Rampage event. This year's event will be held from Friday, July 26 to Saturday, August 3 and

has been extended two extra days due to overwhelming interest and participation last year. This year's event will offer 1,600 hours in 60 different volunteer shifts for participating non-profit organizations, including overnight as well as day-time opportunities.

- Completed informational meeting for non-profit organizations on May 15.
- The timeline calendar for this year's event includes the following key dates:
 - May 25: Deadline for agencies to sign-up for funding eligibility.
 - May 25 to July 1: Agencies register volunteers and receive weekly updates.
 - July 1: Deadline for agencies to register for at least 10 hours.
 - July 3: Agencies notified if they have not registered 10 hours to qualify for funding distribution.
 - July 5: Volunteer registration opens to the general public.
 - July 18: Volunteer Orientation meeting.
 - July 26: Event begins.
- Additional event information, as well as sign-up instructions for non-profit organizations and volunteers, can be found on the Rummage Rampage website:
<http://www.cityofames.org/living/rummage-rampage>.
- ROAR (Rehoming Our Animals/Aquariums Responsibly) will continue to be offered as a component of Rummage Rampage for the 2019 event, toward ensuring an opportunity for drop-off of pets that are not able to be moved with residents or residents are no longer able to care for – rather than releasing them. As with last year's inaugural offering of ROAR, community animal rescue organizations will be on call to transport animals to appropriate locations toward beginning the rehoming process. No adoptions will take place at the event.
- A pre-event drop-off option is being piloted this year, which will offer a storage and transportation outlet for donation items, April-July. For customers using the Resource Recovery Center's car line drop-off, donated items for Rummage Rampage will be stored in an on-site collection trailer and taken to the event.

Collaboration Partners: City of Ames Animal Shelter, Electric Services, Police Department, Public Works, Water and Pollution Control, and Public Relations Office; Iowa State University's Office of Sustainability, Parking Services and Facilities Planning and Management; Volunteer Center of Story County; Iowa

Department of Natural Resources; Story County Conservation; Iowa Wildlife Center, community non-profit organizations, and volunteers

2. Continue to assist departments in enhancing and updating the EcoSmart program web pages and all material on the City of Ames website related to sustainability and conservation. Continue to provide student feedback on improving our sustainability marketing and education materials.

Year end FY2019 accomplishments include the following for Priority Area #5:

- Offered assistance toward updating information on City of Ames sustainability webpages with specific focus on highlighting the City's journey toward increased and enhanced sustainability commitment and community engagement in sustainability.
- Ongoing input, feedback and assistance regarding City of Ames Smart Energy, Smart Water, Smart Watersheds and other EcoSmart programs.
- Ongoing oversight of the Smart Business Challenge web pages.

Collaboration partners: City of Ames Electric Services, Public Works, Water and Pollution Control, and Public Relations Office

3. Additional requests from Council:

- a. ***Council voted to engage Merry Rankin to come back to Council with proposals of ways that Council can partner with ISU to address carbon reduction. (November 27 Council Meeting);***
- b. ***Council voted to move forward with an RFP to hire a consultant to complete a Greenhouse (GHG) Inventory and asked for Merry Rankin to facilitate the process (February 12, 2019, Council Meeting).***

Year end FY2018 accomplishments include the following for Priority Area #6:

- #6a: Opportunities are being identified for focus areas with relevance locally and on a broader level.
 - The Waste Diversion Enhancement and Recommendation Report identified a lack of community engagement and knowledge in City of Ames sustainability programs/services. Of particular concern was ensuring consistent outreach messaging to students and residents. One

proposed solution focused on peer-to-peer education, such as employing a graduate student to increase and enhance both student and community-wide waste reduction and diversion commitment.

- Discussions are in progress with the Iowa State University Office of the Vice-President for Research to identify opportunities that may exist related to current research initiatives.
- As progress continues with the City's solar project, an additional opportunity related to expanding solar energy and renewable energy options may be appropriate for student collaboration or graduate level research.
- #6b: Finalization of an RFP for the completion of a community greenhouse gas inventory is in progress.

Collaboration Partners: and City of Ames Electric Services, Public Works and Public Relations Office and Iowa State University Office of the Vice-President for Research

2019/20 SCOPE OF SERVICES:

Attached is a contract for continued sustainability services for the coming fiscal year. If Council has other priorities, those could be added to this scope of services.

ALTERNATIVES:

1. Approve the 2019/20 contract with ISU for the activities shown on the attached scope of services.
2. Replace or add to the scope shown on the attached agreement.

CITY MANAGER'S RECOMMENDED ACTION:

The attached contract will continue the City's partnership with ISU to promote the City Council's sustainability priorities during 2019/20.

Unless Council has other priorities to include, it is the recommendation of the City Manager that Council approve Alternative No. 1 as shown above.

**CONTRACT
FOR
SUSTAINABILITY ADVISORY SERVICES**

This Agreement, made and entered into the 1st day of July 2019, by and between the CITY OF AMES, IOWA, hereafter called the “City” and IOWA STATE UNIVERSITY, hereafter called “ISU.”

WITNESSTH THAT:

WHEREAS, the City and ISU had previously entered into a Contract for Sustainability Advisory Services dated July 1, 2010, which was, by mutual consent, extended to December 31, 2011, and to June 12, 2012, and to June 30, 2013 and to June 30, 2014; and to June 30, 2015, and to June 30, 2016, and to June 30, 2017, and to June 30, 2018, and to June 30, 2019,

WHEREAS, the City and ISU remain committed to the concept of sustainability and are desirous of reducing carbon emissions; and

WHEREAS, ISU currently employs a Director of Sustainability to coordinate their sustainability efforts; and

WHEREAS, the sharing of the services of ISU’s Director of Sustainability is a more efficient method for both the City and ISU to provide this service.

NOW, THEREFORE, the parties hereto, pursuant to and in accordance with the provisions of Chapter 28E Code of Iowa for joint exercise of governmental powers, agree as follows:

**I
PURPOSE**

The purpose of this agreement is to secure for the City and its citizens leadership, coordination, and support services for sustainability efforts directed at carbon emission reduction and promoting sustainable community practices.

**II
SCOPE OF SERVICES**

ISU, through its Director of Sustainability, shall assist City staff in the implementation of conservation efforts and other sustainable practices by planning, implementing, and carrying out the following programs or initiatives:

- 1) Continue to work with Public Works Department and Water and Pollution Control Department on reuse and diversion programs related to the waste stream, including – but not limited to – the exploration of a composting and food waste program.
- 2) Continue to support and strengthen the Smart Business Challenge through outreach and recruitment of participants, oversight of Challenge interns, and marketing of outcomes and accomplishments of Challenge participants.

- 3) Continue to represent the City at events that educate residents about ongoing City sustainability efforts, rebates, and waste reduction opportunities including – but not limited to – the Eco Fair and WelcomeFest.
- 4) Coordinate Rummage RAMPage at the Ames Intermodal Facility in partnership with the Resource Recovery Plant, Public Relations, CyRide, and Iowa State University, to address concerns that usable housewares and furniture are being needlessly discarded and hard-to-process materials are being sent to the Resource Recovery Plant.
- 5) Work with various City of Ames departments to select a consultant to create a Greenhouse Gas (GHG) Inventory for Ames. Once a consultant is selected, serve as the City's point of contact with the consultant to facilitate the completion and presentation of the GHG inventory to the City Council.

III METHOD OF PAYMENT

Although this is a lump sum contract for consulting services, ISU anticipates devoting a maximum of 480 hours (25%) of the Director of Sustainability's time to complete the tasks identified in the Section II. Furthermore, ISU shall not charge for the use of ISU office space or office equipment (such as computing and communications) used on a day to day basis by the Director of Sustainability for conducting the work.

The City will disburse payments to ISU each month in the amount of \$2,083.33. The maximum total amount payable by the City under this agreement is \$25,000 for work detailed in the SCOPE OF SERVICES (Section II of this Contract) and no greater amount shall be paid.

IV SUPERVISION OF CONTRACTED SERVICES

The work of ISU's Director of Sustainability under this agreement shall be supervised and directed by the Ames City Manager or his designee. Each month, the Director of Sustainability shall provide a report to the City Manager or the City Manager's designee highlighting the progress being made to accomplish the tasks required in Section II. Also, biannual progress reports will be provided to Council will be provided in December and June of each contract year. Clerical assistance needed to perform the work identified in the SCOPE OF SERVICES (Section II) will be provided by the City Manager's Office.

V DURATION AND EARLY TERMINATION

This agreement shall be in full force and effect from and after July 1, 2019, until June 30, 2020. This agreement may be terminated without cause by either party upon the giving of notice 90 days advance written notice. On or before April 1, 2020, the parties will discuss renewal of this agreement.

VI DISCRIMINATION PROHIBITED

In accordance with Chapter 14 of the *Municipal Code*, no person shall, on the grounds of age, race, color, creed, religion, national origin, disability, sexual orientation, or sex be excluded from

participation in, be denied benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this Agreement.

IN WITNESS WHEREOF the parties hereto have, by their authorized representatives, set their hand and seal as of the date first above written.

CITY OF AMES, IOWA

ATTEST:

BY _____
John A. Haila, Mayor

Diane R. Voss, City Clerk

IOWA STATE UNIVERSITY

BY _____
Wendy Wintersteen, President
Iowa State University

Staff Report

AMES MIRACLE LEAGUE FIELD AND INCLUSIVE PLAYGROUND

June 11, 2019

BACKGROUND:

In summer 2015, initial meetings began to gauge interest in the concept of constructing an inclusive playground and Miracle League field. A Steering Committee was developed to move this project forward and on October 25, 2016, City Council directed staff to proceed with plans for the construction of a Miracle League Field and Inclusive Playground in Inis Grove Park.

As plans were being developed and the Steering Committee began fundraising, The Ames Foundation (Foundation) agreed to serve as the fiscal agent for the funds raised and subsequently to oversee the construction of the project. As such, the City funded the design of the Miracle League Field and Inclusive Playground (MLFIP), but could not put any funding toward the project per state law regarding bidding public improvements.

On July 31, 2018, City Council approved an agreement (Attachment A) between the City and the Foundation for construction of the MLFIP at Inis Grove Park. The agreement outlines multiple responsibilities of both parties.

The Foundation has been working with Harold Pike Construction (HPC), Ames to serve as the general contractor for the project. Based on the plans and specifications provided by the City, HPC estimated the project cost to be \$2,370,000. This figure does not include potential in-kind donations of construction services and materials. The Foundation will pursue in-kind donations relating to the construction of this project. However, they are not able to pursue these donations until a letter to proceed is given to HPC. Because there has been no conversation with the sub-contractors, the Foundation is unable to provide an estimate for in-kind donations at this time.

The Foundation, HPC, and City staff have met to develop a list of possible cost saving measures. These measures will result in reducing the overall project cost to \$2,148,000 or \$2,027,400, depending on which items are selected. These items are described in detail in the Plans and Specifications Modifications section below.

As of June 6, 2019, the Foundation has received \$1,363,946 cash in hand, and \$462,833 in pledges, for a total of \$1,826,779 in cash or pledges. The outstanding pledges include a local service club (\$300,000), Harrison & Brittany Barnes Foundation (\$100,000 – third payment), and six others (\$62,833). Additionally, the Foundation reports that twelve requests are still outstanding, in the amount of \$480,000. A Community Attraction & Tourism grant application is also being written for \$200,000, which is due July 15, 2019.

HPC has indicated that they must have a decision by mid-June whether the project will proceed this summer, or they will be unable to secure the required subcontractors, equipment, and materials. If HPC does not receive a commitment from the Foundation to begin construction by mid-June, the project construction will be delayed until 2020.

HPC estimates that if construction begins in June, the project can be completed this year with one major exception: the safety surfacing. Because surface and air temperatures need to be above a certain temperature to properly cure, the safety surfacing will not likely be able to be completed before temperatures drop in the fall. Therefore, this step will need to be completed once warmer weather returns in spring 2020, before the playground and field can be opened to the public.

It should be pointed out that the construction of this project will have a significant impact to Inis Grove Park. A portion of the park will not be available since the project area, which includes the southern portion of the Duff Avenue parking lot, will be a construction site. The Walnut shelter will not be available during this time, however, Shagbark and Red Oak will be. In addition to the normal construction vehicles coming and going, 7,000 cubic yards of dirt will need to be trucked off site. This will equate to over 700 truckloads.

AGREEMENT BETWEEN THE CITY AND THE AMES FOUNDATION:

Section 2 of the existing agreement between the City and the Foundation reads as follows (Attachment A):

2. The Foundation shall approve and pay expenditures or make disbursements from the Fund in order to construct the MLFIP. The MLFIP shall be built in accordance with plans and specifications approved by the City and The Ames Foundation at a later date. No construction shall begin on the Project until sufficient funds have been raised and/or pledged to complete the Project as described in the plans and specifications. Later approval of the plans and specifications by the City and The Ames Foundation is a condition precedent to the obligations to perform this contract. (Emphasis Added)

Recent discussions between the parties have raised the following two issues:

- a) **City staff believes this provision means the Foundation must have pledges and cash in hand equal to the amount required to construct the project in accordance with the approved specifications before beginning construction. The Foundation Board of Directors, however, interpret this provision differently, and has approved starting the project now that 90% of the funds have been pledged or collected. They believe that because \$1,826,916 have been raised of a new total project cost estimate of \$2,027,400 (assuming the recommended cost cutting measures are acceptable-Attachments B & C),**

then this 90% ratio satisfies the definition in the agreement that “sufficient funds have been raised.”

- b) The second discussion point between City staff and the Foundation deals with whether or not City Council can take any action on this project without it becoming a City project. As a reminder, because this is planned to be a construction project with no City funds, the Foundation is not bound by the public improvement bidding law. The Foundation is concerned that if the City directs the Foundation’s work, beyond normal city functions (i.e. Development Review Committee, etc.), then the City may be in violation of state law.

Staff believes that the two conditions outlined in Section 2 are appropriate. Before allowing a third party to construct a project on City property it is appropriate to make sure that the quality of the work as defined by the plans and specifications is approved by the City Council and that there have been sufficient funds raised to assure that the project will be completed as planned. Lack of sufficient funding could result in an unfinished project or the quality of the project jeopardized by ill-advised cost cutting. Since the responsibility to maintain the facility will shift to the City once it is donated, these are important issues for the City Council.

The City Attorney has discussed these two items and the agreement with the Foundation’s attorney. It has been concluded that “sufficient funds” is not defined and open to interpretation. However, language in the agreement does stipulate that the further obligations of the agreement do not become effective until the project plans and specifications are approved by the City and the Foundation. **If City Council does not wish to proceed prior to all funds being raised, it should not approve the plans and specifications.**

PLANS AND SPECIFICATIONS MODIFICATIONS:

The Engineer’s estimate for this project was \$2,087,122 which included a 5% contingency. Subsequently, HPC conducted a review of the plans and specifications and estimated the cost to be \$2,370,000 which includes a \$50,000 contingency. In discussions between the Foundation, HPC, and the City, it was determined that some items included in HPC’s estimate was work that was intended to be done by others. In addition, some modifications to the plans were discussed which brought the cost estimate to \$2,148,500. These reductions are shown in Attachment B.

In order for the Foundation to ensure the funds raised and/or pledged was 90% of the project cost, another round of cost reduction items were discussed and if implemented would reduce the project cost estimate to \$2,027,400. These items are shown in Attachment C.

City staff feels the cost reduction measures highlighted above will not compromise the overall quality of the project. Furthermore, the Foundation has indicated that as additional funds are raised throughout the construction process, it may add back items that were eliminated from the plans for cost-saving purposes.

POTENTIAL RISKS:

The Ames Foundation and other partners in this project have made extraordinary efforts to raise funds for this project. Additionally, the Foundation has taken on a much larger role in fundraising than was originally planned. **However, there remains a shortfall between the actual cash in hand and the estimated cost for the project.** This project is unique in that many of the donors have contributed towards specific features within the playground and Miracle League Field. **Therefore, it is not possible to reduce the scope of the project any further to meet the budget without eliminating essential aspects of it.**

If construction begins without all funding in hand, there is risk that some portion of the \$462,969 in pledges may be uncollectable. Similarly, there is no guarantee that the outstanding requests and grant applications will be successful. If these funds are not secured before the project is complete, it may cause delays in the project's completion. It is important to remember that due to state law and City policies regarding bidding of public improvements, any funding shortfall cannot be made up by City funds without serious legal implications.

There also are significant risks from waiting until all of the funds have been raised. If there are delays in approving the plans and specifications, HPC has indicated it will not be able to construct the project this summer. Therefore, construction would be delayed to next year at the earliest, and the costs for construction materials and services are likely to rise.

The Foundation has expressed confidence that they can raise additional funds to finance the \$2,027,400 project. However, while optimistic that additional funds can be secured to meet the cost of the \$2,148,500 project, they cannot guarantee this will happen. If the City requires the full \$2,148,500 project to be built, the Foundation has indicated that they might have to withdraw from participation in the project, and seek to turn over the funds raised to date to the City.

OPTIONS:

1. If Council agrees with the cost reductions shown in Attachment B for an estimated project cost of \$2,148,500, it should:
 - a. Approve the plans and specifications for the Miracle League Field as submitted including the cost-saving reductions shown in Attachment B.
 - b. Allow the Foundation to proceed with construction.

2. If Council agrees with the cost reductions shown in Attachment B and C for an estimated cost of \$2,027,400 and believes the Foundation will raise the additional funds after starting construction, it should:
 - a. Approve the plans and specifications for the Miracle Field and Inclusive Playground with the modifications shown in Attachment B and C, and
 - b. Allow the Foundation to proceed with construction.

3. If Council decides that all funds should be received prior to beginning construction, it should not approve plans and specifications at this time and, therefore, not allow the Foundation to proceed with construction.

STAFF COMMENTS:

The City staff is enthusiastically in support of the efforts to date of the Steering Committee and The Ames Foundation. It must be remembered that this group of volunteers is spearheading an effort to construct a \$2,000,000 amenity for our community without using property tax funding. Furthermore, it appears that those involved with raising funds remain dedicated and are optimistic that funds can be secured to complete the \$2,027,400 project with the cost cutting measures identified in Attachments B & C (Option 2).

This report is meant to inform the City Council of the status of this effort and seek direction regarding how to proceed at this point in time. The main question to be answered by the City Council is whether or not the amount raised to date in the form of cash and pledges is sufficient to garner your support for the project to proceed at this point. If the Council concludes that this is the case, the best course of action at this time would be to approve Option 2. Any additional funding secured in excess of the \$2,027,400 could be used to restore some of the reductions identified in Attachments B & C.

Attachment A

This Agreement, made and entered into this ____ day of _____, 2018, by and between **The Ames Foundation**, an Iowa domestic nonprofit corporation organized under Iowa Code Chapter 504 (hereinafter sometimes called “The Foundation”), and the **City of Ames**, a municipal corporation organized and existing pursuant to the laws of the State of Iowa (hereinafter sometimes called “City”);

WITNESSETH THAT:

WHEREAS, members of the Ames community have expressed interest in the construction of a Miracle League Field and Inclusive Playground (“MLFIP”) in Ames, and

WHEREAS, The Ames Foundation has established a designated account for the purpose of receiving and disbursing funds for the construction of a MLFIP in Ames, and

WHEREAS, The Ames Foundation intends to serve as the Project Manager for the construction of the MLFIP, and

WHEREAS, The MLFIP shall be constructed upon property owned by the City of Ames, which has been identified as Inis Grove Park (the “Park”), and

WHEREAS, after completion of the MLFIP, the City shall enjoy sole control and possession of the MLFIP;

NOW, THEREFORE, the parties hereto agree as follows:

1. The Foundation has established a designated account held by a third party financial institution for the collection of monetary contributions (donations, grants or other gifts) towards the completion of the Miracle League Field and Inclusive Playground Project (“Project”). This account shall be known as the Ames Miracle Field and Playground Fund (“Fund”). The Foundation represents and warrants that no governmental funds will be deposited in the Fund, nor shall any governmental funds be otherwise used in the construction of the Project.

2. The Foundation shall approve and pay expenditures or make disbursements from the Fund in order to construct the MLFIP. The MLFIP shall be built in accordance with plans and specifications approved by the City and The Ames Foundation at a later date. No construction shall begin on the Project until sufficient funds have been raised and/or pledged to complete the Project as described in the plans and specifications. Later approval of the plans and specifications by the City and The Ames Foundation is a condition precedent to the obligations to perform this contract.

3. The Foundation shall contract with a licensed general contractor to oversee and

manage the actual construction of the facilities. The general contractor shall contract with such sub-contractors as are necessary to complete the Project. The City shall have the right to attend meetings between The Foundation and the general contractor to ensure conformance with the plans and specifications and to prepare for interruptions to the regular activities within the Park.

4. The Foundation shall ensure that the general contractor and any subcontractors shall conduct their work in accordance with any applicable building and construction codes, shall obtain any permits required by state or local law, and shall conduct construction activities in accordance with all applicable environmental laws. The Foundation understands that the Project is being constructed in an active City Park, and shall ensure the contractor takes measures that meet the satisfaction of the City to secure the construction site and minimize any interference with park and recreation activities occurring elsewhere within the park.

5. The Foundation shall promptly report to the City any major or significant change orders requested by the general contractor. The City shall review whether such changes are compatible with the plans and specifications as originally agreed to. The Foundation may only approve change orders with the assent of the City. Such assent by the City shall not be unreasonably withheld. The City may make inspections of the Project during its construction, and shall identify any conditions observed that differ from the approved plans and specifications, which would cause the City to reject the completed Project.

6. Once construction begins, the Project shall be substantially performed and completed as agreed by the parties in the plans and specifications prior to the commencement of construction. The Foundation shall notify the City as soon as possible and provide a proposed plan to rectify the situation if, after the commencement of construction, it is determined that site conditions require either: a) alterations to the Project that would reduce the fundamental usefulness of the Project to the public, or b) increased Project costs (including contingency) greater than \$50,000 beyond available funding.

7. It is understood by the Parties that The Ames Foundation will assist the Project Steering Committee (an entity not a party to this Agreement) in fundraising for this Project.

8. For every gift, donation, contribution or any transfer of funds designated for the benefit of the Fund, The Ames Foundation will charge a one-time administrative fee not to exceed 2% of the amount received. This administrative fee shall become the property of The Ames Foundation to use as it deems appropriate. The balance of monies received shall be held by The Ames Foundation for the benefit of the Project, until its completion.

9. At the City's request, the Foundation shall provide a final financial report to the City of Ames upon completion of the Project.

10. The Foundation shall take reasonable steps to ensure that the contractor working on the Project shall maintain commercially appropriate liability and contractor insurance coverages at all times during the construction of the Project, which shall include insurance coverage for subcontractors. The limits and terms of such coverage shall meet the requirements established by the City's Risk Manager for projects of a similar scale occurring on City property.

11. Upon completion of the Project, the City will be entitled to make a final inspection of the Project and determine whether to accept the Project as constructed. The Foundation shall provide to the City a copy of the certification from the general contractor that the Project has been constructed lien-free and in accordance with the plans and specifications. After acceptance of the Project by the City, possession of the MLFIP will be turned over to the City of Ames, and The Foundation will make final payment to the general contractor. Thereafter, the Foundation will have no further responsibilities for the operation or maintenance of the Miracle League Field or Inclusive Playground.

12. Any funds raised in support of the Project in excess of the amount necessary for construction shall be held in the Fund by The Foundation for reasonable use as directed by the City for future maintenance, repairs or expansion of the MLFIP. The Ames Miracle Field and Playground Fund will not receive any earnings, according to the established policy of The Ames Foundation. The City will request the endowment funds from The Foundation as they are needed. Alternatively, the Foundation may elect to turn any excess funds over to the City for the sole purpose of maintenance, repairs or expansion of the Field and Playground.

13. This agreement will remain in effect until the completion of the Project and the exhaustion of any excess funds as described in paragraph 11 of this Agreement, or until terminated by both parties in writing.

14. This agreement may only be amended in writing with the mutual consent of The Ames Foundation and the City of Ames.

This agreement is entered into this _____ day of _____, 2018

The Ames Foundation

BY : _____

Title: _____

Date: _____

The City of Ames

BY : _____

Title: _____

Date: _____

Attachment B

Modifications to the Plans and Specifications to Reduce Project Cost to \$2,148,500

(If additional funds are raised, items could be added back in to the project)

Item:	Justification:	Savings:
1. Use black vinyl coated fencing instead of a decorative fence	Black vinyl coated fencing has been used in other City parks and does not jeopardize safety	\$ 20,000
2. Reduce concrete under the field and equipment to from 5" to 4"	The consultant indicates 4" meets the minimum depth as required by the manufacturer	\$ 11,000
3. Eliminate walkway by moving shelter closer to field	Having the shelter closer to the field is more convenient for users	\$ 5,600
4. Duff Ave. sidewalk by others	This was never intended to be the Foundation responsibility	\$ 40,000
5. Parking lot striping by others	This was never intended to be the Foundation responsibility	\$ 3,400
6. Reduce landscaping	This will provide less plant material but not impact the overall look of the park	\$ 5,000
7. Reduce limestone blocks	This will reduce the number of blocks but they are not a functional component of the park	\$ 14,000
8. Eliminate surfacing on the hillside	This will not impact the functionality of park if this is eliminated	\$ 7,000
9. Reduce benches and trash receptacles	This will not impact the functionality of park if these are reduced	\$ 4,000
10. Reduce the shelter size from 12' x 20' to 12' x 16'	The reduction is still an appropriate size shelter for this setting	\$ 4,000
11. Reduce the two smaller bleachers with the large one remaining	Other communities have indicated many people bring chairs with them and most spectators do not use bleachers	\$ 10,000
12. Reduce the allocation for the sensory plaza	Scaling back on this will not impact the purpose of the plaza	\$ 50,000
13. Reduce the allocation for the entrance feature	Providing a simpler entrance feature will not impact the overall park	\$ 30,000
14. Eliminate picnic tables and use what is in the park	Picnic tables are already in the park that can be used for this purpose	\$ 17,500
TOTAL		\$221,500

Attachment C

Additional Modifications to the Plans and Specifications to Reduce Project Cost to \$2,027,400

(If additional funds are raised, items could be added back in to the project)

Item:	Justification:	Savings:
1. Eliminate Miracle League Field lighting	This can be eliminated, but should be added back in if additional funds are raised	\$ 39,100
2. Eliminate contingency	The Foundation will incur this expense if necessary	\$ 50,000
3. Eliminate Snyder & Associates retainer	The Foundation will incur this expense if necessary	\$ 5,000
4. Sidewalk to Duff Ave. by others	This could be included in Parks & Recreation's path project for Duff Ave. and 24 th Street	\$ 15,000
5. Drinking fountain by others	A fountain is purchased for this park but has not been installed so it is not damaged during construction	\$ 4,000
6. Eliminate concrete east of Walnut shelter	This is not relevant to the success of the project	\$ 2,000
7. Eliminate the concrete apron around the restroom	The concrete apron is part of the restroom project	\$ 2,000
8. Eliminate the scoreboard expense	A scoreboard has been donated so this expense is not needed	\$ 4,000
TOTAL		\$121,100

COUNCIL ACTION FORM

SUBJECT: AMES MUNICIPAL CEMETERY MASTER PLAN

BACKGROUND:

Past and current Capital Improvement Plans (CIP) for the Cemetery included adding another Columbarium (\$60,000) in FY 2016/17, a Scatter Garden (\$25,000) in FY 2018/19, and a Funeral Pavilion (\$75,000) in FY 2022/23. Parks and Recreation staff felt it was prudent to develop a Master Plan for a section of the Cemetery, as shown in Attachment A.

Currently, one columbarium stands by itself. This columbarium is not accessible according to ADA standards and all but four of the forty-eight niches are occupied. Staff discussed moving it to a new location that would complement an additional columbarium and would meet ADA standards. Staff contracted with Snyder and Associates, Inc., Ankeny, Iowa, to develop a plan which includes the Columbarium and the Pavilion. Plans for the Scatter Garden are being developed separately as it will be located in a different section of the cemetery.

During Council CIP presentations in January 2019, staff mentioned the development of a Master Plan for this area, and the Council expressed interest in reviewing the plan prior to moving forward with any projects. Attachment B is the plan that has been developed which includes utilizing the greenspace adjacent the Cemetery office for the Columbarium and the Pavilion.

In working with Snyder and Associates, Inc., staff communicated the importance of preserving as much greenspace as possible, incorporating monuments/markers that are currently in the greenspace, making the area ADA accessible, ensuring space for future Columbarium expansion, and ensuring the area would continue to be a focal point for Memorial Day activities. The project will be completed in three phases as described in the Master Plan.

ALTERNATIVES:

1. Approve the attached Ames Municipal Cemetery Master Plan for the section identified in Attachment B.
2. Direct staff to modify the Master Plan and return a revised version to the Council for approval at a later date.
3. Direct staff to not proceed with the Master Plan.

CITY MANAGER'S RECOMMENDED ACTION:

The attached Master Plan provides staff direction regarding how to proceed with the improvements to the Cemetery. The plan meets the goals set by staff by incorporating the monuments/markers that are currently in the space, meets ADA standards, preserves as much greenspace as possible, ensures room for columbarium expansion, and allows Memorial Day activities to continue to be a focal point of the Cemetery.

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



Attachment A - Ames Municipal Cemetery
301 E. 9th St.



1 inch = 333 feet
Date: 6/6/2019



COUNCIL ACTION FORM

SUBJECT: TEAGARDEN AREA DRAINAGE IMPROVEMENTS

BACKGROUND:

In preparing the Teagarden Area Drainage Improvements, a Request for Proposals was issued for design services. On August 26, 2016, the City Council approved an agreement with Bolton & Menk, Inc. for the design of these improvements in an amount not to exceed \$69,500. City staff had been working with the owners of the two properties involved in the project where the improvements are planned. Bolton and Menk submitted check plans (60% of the design completion) for the City staff to review in 2018. At the time of that plan submittal, it was found that one of the properties was sold and the new owner disagreed with the chosen design solution.

Due to the additional design effort needed in working with the property owners, on November 27, 2018, the City Council approved additional professional services in an amount not to exceed \$21,500. New design solutions were developed and reviewed with the owners and were agreed upon. Bolton & Menk, Inc. completed plans and specifications for this contract with an estimated construction cost of \$360,730. An invitation to bid for construction of the improvements was issued, and on April 17, 2019, bids for the project were received as follows:

Bidder	Amount
<i>Engineer's Estimate</i>	\$360,730.00
Con-Struct, Inc.	\$333,494.00
Keller Excavating	\$491,721.00

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

	Available Revenue	Estimated Expenses
Storm Sewer Utility Fund (carried over)	\$ 430,692.00	
G.O. Bonds	\$ 503,063.00	
Construction (Low Bid)		\$ 333,494.00
Engineering/Administration (Est.)		\$ 115,500.00
	<u>\$ 933,755.00</u>	<u>\$ 448,994.00</u>

The award of this bid has been delayed as staff worked with the property owners to complete the required granting of easements. The property owners have now signed the necessary easement agreements to proceed with awarding the construction bid.

ALTERNATIVES:

1. Award the contract for the Teagarden Area Drainage Improvements Project to Con-Struct, Inc. of Ames, Iowa in the amount of \$333,494.00
2. Do not proceed with this project.

CITY MANAGER'S RECOMMENDED ACTION:

All property owners have signed easements related to this project. Awarding the contract as bid on April 17, 2019 will enable this drainage-priority project to be completed during the current 2019 construction season. Remaining funds will be used for contingencies on this project and drainage improvements on the middle branch waterways in the Teagarden area as a separate project.

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

COUNCIL ACTION FORM

SUBJECT: NORTH RIVER VALLEY WELL FIELD AND PIPELINE PROJECT

BACKGROUND:

The Ames Water Treatment Plant relies on a network of 22 potable supply wells as the source of drinking water for the community. As old wells fail and need to be replaced and as demand for treated water increases, additional wells must be drilled.

The location for a new well field has been chosen using a detailed ground water hydraulic model. The new wells are proposed to be constructed on land north of East 13th Street and east of the Skunk River. Development of the proposed well field will consist of an interconnecting pipeline and three new wells, each with a capacity of 1,000 gallons per minute. Standby electrical power will also be included in the scope of the project. The planned new well field will add an estimated 2.6 million gallons per day (mgd) of raw water that can be delivered to the City's Water Treatment Plant.

This project was designed in a joint effort between HDR Engineering and City staff. City staff performed the design for the water supply wells (Division 1), while HDR Engineering performed the pipeline and electrical design (Division 2) associated with the new well field.

On April 23, 2019, Council issued a Notice to Bidders for the North River Valley Well Field and Pipeline Project. Bidders were allowed to bid on Division 1 only, Division 2 only, or bid on both Division 1 & 2. Bids were opened on May 29, 2019. Five bids were received; three bids for Division 1 (water supply wells) and two bids for Division 2 (pipeline/electrical). The bids are summarized below.

Bidder – Division 1	Bid Price
Northway Well & Pump Co.	\$642,525
<i>Engineer's Estimate (No Contingency)</i>	<i>\$696,085</i>
Rieschick Drilling Co.	\$702,499
Sargent Drilling	\$717,907

Bidder – Division 2	Bid Price
<i>Engineer's Estimate (No Contingency)</i>	<i>\$4,300,000</i>
Rognes Corp.	\$6,054,130
On Track Construction, LLC	\$6,585,472

Northway Well & Pump Co. is the lowest responsible bidder for Division 1, while Rognes Corp. is the lowest responsible bidder for Division 2. **The bid price for Division 1 is below the engineer's estimate by 8%, while the bid for Division 2 is 40% above the estimate.** The combined total project cost is \$6,696,655, or 34% above the engineer's estimate. If these bids were accepted, the revised project expense with 10% contingency included would be as follows.

Revised Total Project Expense	
Engineering	\$ 614,200
Land	47,350
Construction	6,696,655
10% Contingency	669,665
Total Estimated Expense	\$ 8,027,870

The authorized project budget is shown below. **Based on the bids received, there is a deficit of \$2,369,440. Because of this considerable deficit, staff is recommending that the City Council reject the project bids.**

Total Authorized Budget	
Prior Year Actuals	
FY 2016/17	\$ 282,266
FY 2017/18	69,554
FY 2018/19 CIP	
Well Field Project	5,156,909
Security Gates	149,701
Total Estimated Expense	\$ 5,658,430

HDR Engineering reached out to many pipeline and electrical contractors during the bidding phase who might interested in the project, but ultimately only two bids were received for Division 2. **After following up with these contractors, it appears that there is too much work right now and many contractors didn't have the time to bid the project.** Another contributing factor to the high bid amount was due to the electrical cost of the project. The lowest bidder for Division 2, Rognes Corp., received only one electrical subcontractor bid. The line item for the electrical items account for \$1,297,000, or 82% over the engineer's estimate. The electrical items are the vast majority of the costs over the engineer's estimate. The pipeline items accounted for the balance of the additional cost in excess of the estimate.

Although the bids for Division 1 of the project were favorable, both components of the project must occur for this project to be successful. If the Division 1 bid was awarded at this time, there is risk that the City might continue to receive unfavorable bids for Division 2, which would impact the entire project. Therefore, staff recommends re-bidding both divisions of the work.

Staff will review options to allow more competitive bids and a lower construction cost. With one major issue for bidders being the timing of the project, staff may look at rebidding the project later this year for work to take place next summer. Staff will review the specifications and provide value engineering where applicable in addition to pushing the construction back and allowing a larger construction window.

ALTERNATIVES:

1. Reject all bids and do not award a contract at this time.
2. Award a contract to the lowest bidder for each division of work. Since this would result in a project costs that exceeds the authorized funding by \$2.4 million dollars, provide direction to staff on how to finance the project.
3. Do not take any action at this time, and provide direction to staff on the future of the project.

MANAGER'S RECOMMENDED ACTION:

Staff believes that rejecting the bids for both divisions of the project and rebidding at a later date with a longer construction window will provide increased competition and pricing.

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

COUNCIL ACTION FORM

SUBJECT: VACATION OF RIGHT-OF-WAY ADJACENT TO 635 AGG AVENUE AND CONVEYANCE TO THE OWNERS

BACKGROUND:

City of Ames staff was approached by Steven and Sarah Walter, owners of 635 Agg Avenue, regarding the vacation and conveyance of 100' X 7' of public right-of-way (ROW) adjacent to their property. See Attachment A for a map of the location. A letter sent by Mr. Walter (Attachment B) states their reason for this request, which is to construct a new garage addition. The valuation according to the City's standard formula (Attachment C) is \$3,165.75, which is based on adjacent land values minus 10% for quit claim deed and 15% for maintaining an easement. The other adjacent property owners at 2114 Country Club Blvd, Melissa and Patrick Rowan, have indicated in a signed letter (Attachment D) that they do not wish to purchase any portion of this ROW area, if vacated.

Utility companies have been contacted with City of Ames Electric and Century Link responding that they have existing infrastructure in this ROW area. Therefore, as a condition of vacation and conveyance, a public utility easement will be established over the entire vacated area as indicated on the vacation and easement plats (Attachment E).

ALTERNATIVES:

1. a. Approve the vacation of the 100' X 7' public ROW adjacent to 635 Agg Avenue.

b. Approve the conveyance of the vacated public ROW to the owners of 635 Agg Avenue (Steven and Sarah Walter) for \$3,165.75 as determined by the City's standard formula.
2. Reconsider vacation of the 100' X 7' ROW adjacent to 635 Agg Avenue.

MANAGER'S RECOMMENDED ACTION:

This ROW area is not wide enough to serve as a vehicular alley or be developed individually. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as noted above.

This recommendation is contingent upon the City receiving the new public utility easement from the owner prior to the June 11, 2019 public hearing.

COUNCIL ACTION FORM

SUBJECT: CREATION OF A NEW CHAPTER OF THE AMES MUNICIPAL CODE, KNOWN AS CHAPTER 35, GUEST LODGING CODE- ESTABLISHING DEFINITIONS, ADMINISTRATION, STANDARDS, LICENSING, AND ENFORCEMENT FOR GUEST LODGING AND AMENDING THE TEXT OF THE ZONING ORDINANCE (CHAPTER 29) AND THE RENTAL HOUSING CODE (CHAPTER 13) TO ALLOW THEIR USE AND ESTABLISHING A FEE FOR LICENSURE.

BACKGROUND:

City Council first reviewed a conceptual regulatory framework for short-term rentals (**herein referred to as guest lodging with proposed ordinance**) on October 23rd regarding one and two-family homes. On November 13, 2018, the City Council directed staff to proceed with drafting standards that would allow guest lodging within apartments dwellings and to proceed with described licensing system of one and two-family homes. On February 26, 2019, City Council reviewed a draft of the proposed ordinances and gave direction to proceed with finalizing the text for the Guest Lodging Code and publishing notice for the text amendments to the Zoning Ordinance (Chapter 29) and the Rental Housing Code (Chapter 13). On April 23, 2019, City Council directed staff to remove "Vacation Lodging" from the proposed ordinances, so that guest lodgings might move forward to a first reading. [A discussion of Vacation Lodging is the subject of a separate staff report.](#)

Staff has worked with the City Attorney's office to finalize the Guest Lodging Code and text amendments consistent with the Council's direction. Guest Lodging is not a household living use, it is a lodging use that addresses how transient occupancy is allowed in conjunction with household living and the primary residents of a dwelling. Staff estimates that there are currently 50-60 properties that are advertised and that operate as a form of Guest Lodging. Staff anticipates that the number would increase with legalization and awareness of the guest lodging options available.

The changes necessary to create a new use of Guest Lodging is extensive:

1. Create a new type of principal and accessory use within the Zoning Ordinance (Chapter 29),
2. Establish a new licensure chapter (Chapter 35) of the *Ames Municipal Code*, and
3. Modify the Rental Housing Code with clarifying text amendments.

A complete discussion of the proposed changes is included in the Addendum. The draft ordinances are included as Attachment 'A', and are summarized as follows:

- Duration of Stay. Guest lodging is for a period of 31 consecutive days or less to the same person.
- Occupancy Limitations. Occupancy limitations vary by unit type and are generally based on the number of guest bedrooms with a maximum number of adults allowed.
- Approval. The intent is for an administrative review and approval for Hosted Home Shares and Home Shares as accessory uses. Amending the Bed & Breakfast special home occupation permit as an accessory use to become a Special Use Permit as a principal use.
- Annual licensing. An annual license is required. An annual licensing fee would be required in addition to any other city permits and fees.
- Parking. On-site parking subject to minimum parking requirements of Section 29.406.
- Fire Safety Requirements. Compliance with fire safety requirements of the Rental Housing Code (means of egress and fire protection systems) is required of all guest lodging units. A checklist will be made available and applicants will be required to indicate compliance.
- Inspections. All applications would be subject to verification and inspection for compliance. Subsequent inspections would be at the discretion of the Enforcement Officer.
- Renewal/Revocation Standards. The license to operate guest lodging may be revoked if it is determined that the guest lodging is operating inconsistent with the licensing standards or if there are verified complaints with notice of correction action regarding its operation. An appeal process to the Zoning Board of Adjustment is included.

The proposed regulations provide clear expectations with defined standards for the licensing and operating of guest lodging, and if needed, enforcement or license revocation. The goal is to minimize possible negative impacts to surrounding residential properties and neighborhoods from use of home for transient guest stays.

CODE COMPLIANCE & MONITORING:

The first step in achieving compliance with the adopted ordinances is public awareness of the new regulations. With City Council approval on first reading on June 11th and subsequent second and third readings in June, the new ordinances would be effective on or about July 1st. Staff proposes a delayed compliance period to allow time to receive and process applications, before enacting enforcement procedures, beginning on September 3rd (the day after Labor Day).

During the initial 60-day compliance period there would be no citations for operating an STR and if someone is in process of seeking a license they would not be subject to a citation during its review. Staff anticipates that review and approval of licensing applications can be incorporated into current inspection/planning duties.

Beyond providing public awareness, staff would have a limited ability to provide proactive compliance monitoring without address identification. The typical Airbnb listing data includes

only a neighborhood map of listing, but does not where the unit is located with a property address.

Address information is not publically available without subscribing to a third party monitoring compliance software service. These types of vendors provide a proprietary evaluation of a listing to identify an address. An initial annual subscription with a monitoring compliance services for addresses and contact identification would help the City to proactively reach out to those who may be unaware of the new licensing requirements and would help to bring everyone into compliance. Staff's understanding of the pricing from one vendor indicates a price of \$1,500 based upon 50 listings in the City and a cost of \$30.00 per listing going forward.

However, Staff believes that that working through traditional methods would be effective in the initial stage of implementation due to the current estimated low number of listings. If staff is unsuccessful in efforts to obtain compliance from property owners, we can revisit the need for additional services.

LICENSING FEE:

A fee of \$50 would suffice in covering administration costs and would be in-line with the annual rental housing registration renewal fee for a single family home. In addition to the annual fee, an inspection fee would be charged with the initial application and may be charged for renewals if inspections are needed in the future. It is important to note that this license system is designed to be prospective about future use of the property, meaning a property owner is paying up front for the license, not paying for a prior year of licensure after the fact. Additionally, this license is to the property owner and a change in ownership will trigger a new license requirement and fee to issue a new one-year license. If City Council chooses to acquire a subscription to a monitoring service, reviewing license fees would be appropriate at that time.

ALTERNATIVES:

- 1a. The City Council can adopt on first reading each of the attached ordinances:
 - i. Creating a new chapter of the *Ames Municipal Code* known as Chapter 35, Guest Lodging Code, establishing definitions, administration, standards, licensing, and enforcement for guest lodging, and
 - ii. Amending the text of the Zoning Ordinance (Chapter 29), and
 - iii. Amending text of the Rental Housing Code (Chapter 13) to allow the use of guest lodging, and
- 1b. Establish a fee for Guest Lodging licensure for 2019-2020 at \$50.00.

Note- Staff will place the approved ordinances on the June 18th agenda for 2nd reading and on June 25th for 3rd reading, allowing for the ordinances to be published by July 1st.

2. The City Council can adopt on first reading, a modified version of any of the three attached ordinances and establish a fee for guest lodging licensure.

3. The City Council can postpone to date certain, the first reading of any of the ordinances, preserving the noticing and postponing any action on establishing a fee for guest lodging licensure.

CITY MANAGER’S RECOMMENDED ACTION:

Staff has worked with the City Attorney’s Office to finalize the Guest Lodging Code and text amendments consistent with the Council’s direction. The changes necessary to address allowing guest lodging are extensive, as these would be a new type of principal and accessory use within the Zoning Ordinance (Chapter 29), and would establish a new category of licensure, incorporated into a new Chapter (Chapter 35) of the *Ames Municipal Code*. Clarifying text amendments are also needed within the Rental Housing Code.

With three types of proposed guest lodging (Bed and Breakfast, Hosted Home Shares, and Home Shares), each has unique attributes related to occupancy, parking, and the approval process. However, objective criteria are included in the text to enable review for compliance and approval. Additional scrutiny through the Special Use Permit process for Bed & Breakfast Establishments will help to ensure neighborhood compatibility.

Upon adoption of new guest lodging standards, the goal would be to undergo a public education campaign to let people know of the new requirements. Staff believes allowing until September 3rd to both receive initial applications would be appropriate, before enacting enforcement procedures.

Licensing allows for periodic contact with property owners and helps ensure continued compliance. An annual licensing fee similar in cost to a Single Family Rental Letter of Compliance Cost is planned for the proposed licensing process. A Council update on the status of guest lodging licensing and compliance next spring, would shed light on whether any adjustments to the initial fee (set with the adoption of the ordinances) would be warranted.

Therefore, it is the recommendation of the City Manager that the City Council adopt on first reading each of the attached ordinances and establish a fee for initial guest lodging licensure as described in Alternative #1.

Addendum

The allowance of Guest Lodging as a transient occupancy use in residentially zoned areas has the potential to be incompatible with surrounding residential uses. Therefore, special regulation for short-term occupancy is necessary to ensure that Guest Lodging use will be compatible with surrounding residential uses and will not materially alter the character of neighborhoods in which they are located.

The Guest Lodging Code is proposed as a new chapter of the *Ames Municipal Code*. It establishes definitions, administration, standards, licensing, and enforcement for guest lodging. It provides reasonable and necessary regulations for the licensing and operation of guest lodging in order to:

- (1) Ensure the safety, welfare and convenience of renters, owners and neighboring property owners throughout Ames;
- (2) Help maintain the City's needed housing supply for household living; and
- (3) Protect the character of the City's neighborhoods by limiting the operations, number, and concentration of guest lodging in residential zones.

Objective standards are included to enable review for compliance and approval. The guest lodging period would be 31 consecutive days or less.

The guest lodging types include: hosted home shares; home shares; and bed & breakfast establishments. Additional scrutiny through the Special Use Permit process for Bed & Breakfast Establishments will help to ensure neighborhood compatibility.

Each of the proposed types of guest lodging has unique attributes related to occupancy, parking, and the approval process. In cases where the property owner is the primary resident, the guest lodging use may be considered as an accessory use to the use of a single-family dwelling as household living. A new definition for "primary residence" helps differentiate when guest lodging would be considered as an accessory or principal use.

The proposed text amendment to the Zoning Ordinance adds each of the guest lodging types to the list of permitted uses in Article 5. Uses would be included as either a new accessory use to Household Living or as a new principal use under Short-Term Lodging.

Hosted Home Shares

As an incidental, accessory use, hosted home shares are the least impactful of the guest lodging types. Bedrooms that may be rented are limited to a maximum of two with no more than two adults as guests per dwelling unit. The dwelling is the primary residence of the property owner and the property owner is required to be on site and present during the rental period. This type of activity is viewed as an accessory use (subordinate and incidental to the residential use of the home). The impact of a hosted home share is not much greater than that of a private home with frequent houseguests. A licensing application is required that would be administratively approved and required to be renewed annually. The offering of a hosted home

share by tenants of rental apartments is exempt from licensure. Oversight compliance would be the responsibility of the landlord.

Home Shares

This option is somewhat unique in allowing for whole-house guest lodging facilities on limited basis without the primary resident present during the stay. The guest lodging code would allow a maximum of two adults per approved bedroom, not to exceed a total of five adults per dwelling unit. Approval would be by staff as an administrative process. Rental Housing Code registration is not required given the use of the home as a primary residence with a limited number of guest stay days in a year. The cumulative total of rental days allowed per annual renewal is 90 days. The proposed limitations are also meant to distinguish the guest lodging use from a use that should actually register as rental housing property subject to Chapter 13 requirements. In accordance with the guest lodging definition, the maximum stay for any guest is 30 consecutive days. The offering of a home share by tenants of rental apartments is exempt from licensure. Oversight compliance would be the responsibility of the landlord.

Bed & Breakfast Establishments

Bed & breakfast establishments are private homes or residences where the property owner resides, as their principal residence. Bed & Breakfast Establishments are permitted a maximum occupancy of two adults per approved bedroom for overnight guest lodging. The Zoning Board of Adjustment determines the number of bedrooms specific to the dwelling unit through the special use permitting process. No more than five bedrooms may be approved. B&B's are exempt from the City's Rental Housing Code; however, state licensing and inspection as a food establishment is required when there are more than four guest families accommodated. (Iowa Code, section 137F.1) The operating license would be required to be renewed annually.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning & Zoning Commission reviewed the proposed ordinances for the use of single and two-family dwellings as guest lodging on September 19, 2018 and the use of apartments as guest lodging on January 16, 2019.

In each case, the P&Z made a unanimous recommendation of approval (5-0) with certain modifications or limitations as summarized below.

September 19, 2018 unanimous recommendation regarding single-family homes as guest lodging:

- Two-family dwellings be included, and
- That the City Council consider proactive compliance monitoring to ensure that all guest lodging properties are licensed.

January 16, 2019 unanimous recommendation regarding inclusion of apartments as guest lodging:

- Home Shares in rental apartments would be allowed as an accessory use in all zoning districts with no tenant or property owner license required; Oversight compliance would be the responsibility of the landlord with no license required.

- The Commission also recommend that if Vacation Rentals were an allowed use, that a maximum of 10% of apartment units could be used for such a use and that one and two-family dwellings be allowed subject to a special use permit approval as was originally described by staff. However, Vacation Rentals are not part of the draft ordinance.

The Planning & Zoning Commission's recommendations were incorporated into the updated draft ordinances and are part of the staff recommendation.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW CHAPTER 35, GUEST LODGING CODE THEREOF FOR THE PURPOSE OF REGULATING GUEST LODGING IN THE CITY OF AMES, IOWA; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

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

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

“[NEW] Chapter 35 GUEST LODGING CODE

Sec. 35.100. TITLE, PURPOSE AND SCOPE.

These regulations shall be known as the Guest Lodging Code of the City of Ames, hereinafter referred to as “this code.”

In the adoption of this code, the City finds that the guest lodging of dwelling units has the potential to be incompatible with surrounding residential uses. Therefore, special regulation for short-term occupancy is necessary to ensure that these uses will be compatible with surrounding residential uses and will not materially alter the character of neighborhoods in which they are located. This code provides reasonable and necessary regulations for the licensing and operation of guest lodging in order to:

- (1) Ensure the safety, welfare and convenience of guests, owners and neighboring property owners throughout Ames;
- (2) Help maintain the City’s needed housing supply for household living; and
- (3) Protect the character of the City's neighborhoods by limiting the operations, number, and concentration of guest lodging in residential zones.

Sec. 35.200. DEFINITIONS.

For the purposes of this code, the following words, terms and phrases have the meanings set forth herein. Where terms are not defined herein but are defined elsewhere, such as in *Ames Municipal Code Chapter 13, Rental Housing Code or Chapter 29, Zoning Ordinance*, such terms have the meanings ascribed therein.

Applicant means a property owner or agent of a property owner who has filed an application for a guest lodging license.

Bed & Breakfast Establishment means the guest lodging of a portion of a dwelling unit that is the primary residence of the property owner, where the property owner is present and provides lodging, and may provide breakfast for overnight guests.

Bedroom, Approved Bedroom means any room or space used or intended to be used for sleeping purposes that is found to be in compliance with the standards of Chapter 13.

Enforcement Officer means that person or persons designated by the City Manager who is responsible for the administration and enforcement of this code.

Dwelling Unit means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Guest Contract means one or more persons who act as a single group and as a single reservation and payment for a guest lodging.

Guest Lodging means the advertising, offering, or otherwise availability of use of a dwelling unit for overnight lodging for a period of thirty-one (31) consecutive days or less in exchange for money, goods, labor or service. Guest lodging does not include any hotel or motel facility.

Guest Lodging License means the regulatory license required by this code.

Home Share means the limited guest lodging of the entire dwelling unit that is the primary residence of the property owner, while the property owner is not present.

Hosted Home Share means the guest lodging of a portion of a dwelling unit that is the primary residence of the property owner, while the property owner is present. For the purposes of this definition, “present” means the property owner is staying in the dwelling overnight during the guest lodging.

Letter of Compliance means a document issued by the Inspection Division, stating the premises have been inspected and found to be in compliance with *Ames Municipal Code Chapter 13, Rental Housing Code*, on the date of inspection.

Owner means any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

Primary Residence means a residence that is the only place where a person has a true, fixed, and permanent home, and to where, whenever the person is briefly and temporarily absent, the person intends to return. A person may have only one primary residence.

Sec. 35.300. GUEST LODGING LICENSING

- (1) **License Required.** No person or entity may advertise, offer, let, operate, or otherwise make available guest lodging without a current guest lodging license issued by the City of Ames in accordance with the provisions of this code.
- (2) **Exemptions.** Apartment tenants offering Home Shares or Hosted Home Shares may operate without a license in all districts allowing guest lodging.

35.400 GUEST LODGING STANDARDS

- (1) **Application.** Any property owner or entity intending to allow or carry on the business of offering Guest lodging on their property must submit a written application with the Enforcement Officer demonstrating that the proposed guest lodging meets the required standards of this code. To receive approval, an applicant must demonstrate that all applicable standards listed below have been met:
 - (a) **Applicant is the Property Owner.** A license must be obtained and renewed annually by the property owner and will be issued in the property owner’s name. Single-family, two-family, and condominiums are licensed individually by unit (one unit per license).
 - (i) **Primary Residence.** The dwelling unit is the primary residence of the property owner for Home Shares, Hosted Home Shares and Bed & Breakfast Establishments.
 - (ii) **Local Contact Information / Property Representative.** Home Shares are required to have a local property representative with access to the unit who is authorized to make decisions regarding the use or condition of the unit. For Hosted Home Shares or Bed & Breakfast Establishments, the local representative is the property owner.
 - (b) **Housing Type.** There is no restriction on the type of housing in which guest lodging may be licensed.
 - (c) **Zoning.** The dwelling unit is located in a zoning district permitting their use as guest lodging, as identified in the zoning use tables found in Chapter 29, Zoning Ordinance. Generally, guest lodging is allowed in any of the following zoning districts: A, RL, RM, UCRM, RLP, RH, F-VR, FS-RL, FS-RM, F-PRD, S-SMD, NC, CCR, DSC, CSC, and DGC.

- (d) **Occupancy.**
- (i) Hosted Home Shares are limited to a maximum of two approved bedrooms and two adults as guests per dwelling unit. The applicant must specify which portions of the dwelling unit will constitute the licensed premises available for use for the guest lodging.
 - (ii) Bed & Breakfast Establishments are permitted a maximum occupancy of two adults per approved bedroom. The Zoning Board of Adjustment determines the number of bedrooms specific to the dwelling unit. No more than five bedrooms may be approved.
 - (iii) Home Shares are limited to a maximum of two adults per approved bedroom, not to exceed a total of five adults per dwelling unit.
 - (iv) Any dwelling unit subject to a Letter of Compliance is bound by the Rental Housing Code Occupancy Limitations, even if the Letter of Compliance is not required herein.
- (e) **Off-Street Parking.** Parking is provided according to the requirements of the *Zoning Ordinance Section 29.406* and the following:
- (i) Hosted Home Shares - No additional parking required.
 - (ii) Bed & Breakfast Establishments - 1 reserved space per guest bedroom, plus 1 space for the owner.
 - (iii) Home Shares - 1 space per bedroom (maximum required - 5 spaces).
- (f) **Fire Safety Requirements.** All units must complete a checklist for fire safety (means of egress and fire protection systems) and ensure continued compliance with fire safety regulations included in *Ames Municipal Code Chapter 13, Division VIII*.
- (g) **Tax Compliance.** At time of renewal, documentation must be provided indicating that required taxes for the previous year have been paid pursuant to *Ames Municipal Code Section 24.3*.
- (h) **Special Use Permit.**
- (i) Bed & Breakfast Establishments must obtain a Special Use Permit from the Zoning Board of Adjustment, prior to receiving a guest lodging license.
- (i) **Inspection.** Upon application for a license all guest lodging must be made available for City verification and inspection for compliance. Refusal by the applicant to allow such inspection shall be grounds for denial of a license. Subsequent inspections may be conducted as part of a regular periodic inspection program or as required to verify correction of deficiencies, or as necessitated by complaints.
- (j) **Additional Operational Requirements.**
- (i) **Concurrent Guest Contracts Not Allowed Within a Dwelling Unit.** Accommodations must be offered as one guest contract only. Bed & Breakfast Establishments are exempt from this limitation and may offer one guest contract per approved bedroom.
 - (ii) **Maximum Number of Days per Annual Renewal Period (for Home Shares only).** Home Shares are limited to a total of 90 days per annual renewal period, with each guest contract including a period of 31 days or less.
 - (iii) **Mandatory Postings of License.** A copy of the guest lodging license issued by the City must be displayed in a prominent location within the interior of the dwelling near the front door.
 - (iv) **Registry of Guests.** Each owner must keep a registry of guests accommodated during the licensing period.
 - (v) **Responsiveness to Complaints.** The owner or representative must respond to complaints in a reasonably timely manner and shall maintain a record of the actions

taken in response.

- (vi) **Ongoing Compliance.** The guest lodging standards must operate as continuing code compliance obligations of the applicant.

Sec. 35.500. ADMINISTRATIVE PROCEDURES.

- (1) **Administrative Rules.** The Enforcement Officer shall have the authority to establish administrative rules and regulations consistent with this code, for the purpose of interpreting, carrying out, and enforcing it.

- (2) **Application Review and Issuance of License including Renewal.**

- (i) **Application Form.** Application for a guest lodging license or license renewal must be on forms provided by the City.
- (ii) **License Fee.** The application fee for a guest lodging license or license renewal must be as established by resolution of the City Council. These fees are in addition to any other permit or registration fees that may be required.
- (iii) **Application Submittal and Review.** Complete and accurate information must be provided to the City.
 - a. **Staff review.** The application will be reviewed by staff within five working days for completeness.
 - b. **Incomplete Application.** Any application that does not include all required information will be considered incomplete. In such cases, the City will notify the applicant in writing, explaining the information required. If the applicant does not provide the required information within 31 days of the notice, the application will be deemed withdrawn/denied for lack of responsiveness with no return of application fees.
 - c. **Inspection.** All premises being considered for licensure as guest lodging must be subject to inspection by the City for the purpose of investigating and determining compliance with the requirements of this code. Should the premises not be made available for inspection when requested, the application will be considered incomplete.
 - d. **Approval.** A complete application in compliance with this code will be approved and granted a one-year license.
 - e. **Conditional Approval.** When circumstances do not warrant a full one-year license, a conditional approval may be granted. A conditional approval allows an applicant to operate while coming into full compliance or while correcting a violation. A conditional approval is time limited for no more than three months and is not renewable.
 - f. **Denial including Non-Renewal.** Any violation of the provisions of this code may be considered during the application review and may result in denial or non-renewal. Verified complaints with notice of corrective action involving violations of the zoning code, building code, and/or applicable laws or regulations may be a basis for denying a license. A property owner may not reapply for a period of 12 months if denied a guest lodging license based upon this section.
 - g. **Notification.** Within 31 days of determining the receipt of a complete application, the applicant will be notified of approval, denial, or additional information needed to approve the request.

- (3) **Term.**

- (i) All licenses shall terminate after one year. Annual renewal applications must be

submitted by the property owner of record, prior to expiration.

- (ii) If a guest lodging license expires, the dwelling unit may not be used or occupied as guest lodging until such time as a subsequent license has been granted for that unit.
- (4) **Transferability.** The license must be issued in the name of the property owner and is not transferable to a subsequent owner or to another property.
- (5) **Revocation.**
- (i) The Enforcement Officer may immediately revoke or temporarily suspend a guest lodging license based upon any of the following, if it is found that:
 - a. A required Letter of Compliance has either expired or been revoked;
 - b. The licensee, designated operator, or guest has violated or failed to meet any of the provisions of this code or conditions of the license;
 - c. The applicant has made a false statement of material fact on an application for a guest lodging license;
 - d. The licensee, designated operator, or guest has violated any federal, state, or city law or regulation pertaining to the use of the property as guest lodging; or
 - e. The Chief of Police or Fire Chief and/or their designees have determined that the guest lodging would pose a serious threat to public health, safety, or welfare.
 - (ii) The Enforcement Officer shall send or deliver written notice to the property owner stating the basis for the decision of revocation or suspension, the effective date of the revocation or suspension, the right to appeal the decision, and the procedure for filing an appeal. Any notice of suspension must include information about possible corrective action and time for compliance, as applicable.
 - (iii) Upon revocation of a license, the dwelling unit or parcel described in the license is ineligible to receive another license pursuant to this code for one year from the date of revocation.
- (6) **Violations and Penalties.** In addition to the aforementioned actions of revocation, suspension, denial or non-renewal of a license, any violation of any provision of this code may also be enforced as a municipal infraction by the Enforcement Officer. The penalty for a first violation shall be \$500. The penalty for each subsequent violation shall be \$750.

Sec. 35.600. APPEALS.

Any party aggrieved by the Enforcement Officer's decision to deny, suspend, revoke, or issue a license may appeal the determination to the Zoning Board of Adjustment within 31 days, under the procedures set forth in the *Zoning Ordinance Section 29.1403(8)*.

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

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

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law. Enforcement of this ordinance shall begin on September 3, 2019.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING NEW SUBSECTIONS 29.201(14.1), 29.201 (17.1), 29.201 (18.1), 29.201(19.1), 29.201 (92.1), 29.201 (92.2), 29.201(98.1), 29.201(100.1), and 29.201(160.2) AMENDING CHAPTER 29 THEREOF, FOR THE PURPOSE OF HARMONIZING CHAPTER 29 WITH CHAPTER 35, GUEST LODGING CODE; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting new subsections 29.201(14.1), 29.201(19.1), 29.201(98.1), 29.201(100.1), 29.201(160.2), 29.201(191.1), and 29.201(191.2) and by amending Chapter 29 as follows:

“Sec. 29.201. DEFINITIONS.

Except as otherwise defined in this Ordinance or unless the context may otherwise require, the following words are defined for the purpose of this Ordinance as follows:

...

*** ~~Basement. See subsection 250.~~

...

(18.1) **Basement.** That floor level of a building between the upper surface of a floor and the ceiling or floor joists next above, which has at least 50% of the total area of its perimeter of foundational walls located below natural and finished grade.

...

(19.1) **Bed & Breakfast Establishment** means the guest lodging of a portion of a dwelling unit that is the primary residence of the property owner, where the property owner provides lodging and may provide breakfast for overnight guests. A Bed & Breakfast Establishment is a short-term lodging use and is a category of guest lodging licensed under Chapter 35.

...

(92.1) **Guest Lodging** means the advertising, offering, or otherwise availability of use of a dwelling unit for overnight lodging for a period of thirty-one (31) consecutive days or less in exchange for money, goods, labor or service. Guest lodging does not include any hotel or motel facility.

(92.2) **Guest Lodging License** means the regulatory license required by Chapter 35.

...

(98.1) **Home Share** means the limited guest lodging of the entire dwelling unit that is the primary residence of the property owner, while the property owner is not present. A Home Share is an accessory use to household living and is a category of guest lodging licensed under Chapter 35.

...

(100.1) **Hosted Home Share** means the guest lodging of a portion of a dwelling unit that is the primary residence of the property owner, while the property owner is present. For the purposes of this Title, “present” means the property owner is staying in the dwelling overnight. A Hosted

Home Share is an accessory use to household living and is a category of guest lodging licensed under Chapter 35.

...

(160.2) Primary Residence means a residence that is the only place where a person has a true, fixed, and permanent home, and to where, whenever the person is briefly and temporarily absent, the person intends to return. A person may have only one primary residence.

...

(250) Basement. That floor level of a building between the upper surface of a floor and the ceiling or floor joists next above, which has at least 50% of the total area of its perimeter of foundational walls located below natural and finished grade.

...

Sec. 29.406. OFF-STREET PARKING.

...

**Table 29.406(2)
Minimum Off-Street Parking Requirements**

PRINCIPAL LAND USE	ALL ZONES EXCEPT DOWNTOWN AND CAMPUSTOWN SERVICE CENTER ZONES	DOWNTOWN AND CAMPUSTOWN SERVICE CENTER ZONES
RESIDENTIAL DWELLINGS		

<u>Group Living</u>		
Boarding houses, rooming houses, and lodging houses	1 space/bed	0.5 space/bed
College and University housing, fraternities and sororities	1 space/3 beds	NONE
<u>Group Living</u> Nursing and convalescent homes	1 space/5 beds, plus 1 space/2 staff members of the largest shift	NONE
<u>Short-Term Lodging</u>		
<u>Bed & Breakfast Establishment</u>	<u>1 space/guest bedroom, plus 1 space for the owner</u>	<u>N/A</u>
<u>Short Term Lodging</u> Hotel/Motel, including ancillary uses	1 space/guest room; plus 6 spaces/1,000 sf of ballroom, meeting, bar and restaurant areas; plus 1 space/2 employees of the largest shift	1 space/guest room; plus 6 spaces/1,000 sf of ballroom, meeting, bar and restaurant areas; plus 1 space/2 employees of the largest shift

...

Sec. 29.501. CLASSIFICATION OF USES.

...

(3) **Accessory Uses.** Unless otherwise stated in this Ordinance or otherwise indicated in the Use Tables for each zone:

...

(e) Accessory Uses; ~~are incidental and customary to and commonly associated with the operation of the Principal Use;~~

i. ~~Are Is~~ clearly incidental and customary to and commonly associated with the operation of the Principal Use;

ii. ~~Are Is~~ operated and maintained under the same ownership or by lessees or concessionaires of the owner, and on the same zone lot as the Principal Use;

iii. ~~Do Does~~ not include structures or structural features inconsistent with the Principal Use;

iv. May include the guest lodging of all or a portion of a household living dwelling unit that is the primary residence of the property owner, such as Hosted Home Shares, and Home Shares;

v. Does not include residential occupancy in conjunction with uses other than ~~other than~~ hotels, motels, tourist homes and similar uses offering transient housing accommodations, which is also not permitted except by owners and employees employed on the premises and of the immediate families of such owners and employees; and

vi. Has Have a gross floor area that, in combination with all other uses accessory to Principal Uses located in the same structure or on the same lot, does not exceed 25% of the gross floor area utilized by all Principal Uses. ~~The This~~ 25% floor area limitation; ~~however, shall does~~ not apply to off-street parking. Hosted Home Shares, and Home Shares are exempt from the 25% floor area limitation.

...

**Table 29.501(4)-1
RESIDENTIAL USE CATEGORIES**

Household Living

Accessory Uses

Home Share

Hosted Home Share

Short-Term Lodging

Definition. Facilities offering ~~transient~~ lodging accommodations to the general public, where the ~~average~~ length of stay is ~~less than 60~~ 31 days or less. Short-term lodging is subject to State of Iowa definitions, permits, and rules, including remittance of hotel and motel tax.

Uses Included

~~Boarding, rooming or lodging houses and single room occupaney (SRO) hotels, where the average length of stay is less than 60 days.~~

~~Bed and breakfasts~~

Bed & Breakfast Establishment

Hotels

Motels

Recreational Vehicle Parks

Accessory Uses

Coffee shops and dining areas primarily for use by guests or residents of the facility.

...

Sec. 29.600. "A" AGRICULTURAL.

...

Table 29.600(2)
Agricultural (A) Zone Uses

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
Group Living	N		
<u>Household Living</u>			

Household Living Accessory Uses			

<u>Home Share</u>	<u>Y</u>		<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>		<u>Staff</u>
Short term Lodgings <u>Short-Term Lodging</u>	<u>N</u>		
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA/Staff</u>

...

Sec. 29.701. "RL" RESIDENTIAL LOW DENSITY.

...

Table 29.701(2)
Residential Low Density (RL) Zone Uses

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living Accessory Uses			

<u>Home Share</u>	<u>Y</u>		<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>		<u>Staff</u>
Short term Lodgings <u>Short-Term Lodging</u>	N, except Bed and Breakfast permitted as a Home Occupation.	<u>HO</u>	<u>ZBA/Staff</u>
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>Staff</u>

...

Sec. 29.702. "RM" RESIDENTIAL MEDIUM DENSITY.

...

Table 29.702(2)
Residential Medium Density (RM) Zone Uses

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living Accessory Uses			

<u>Home Share</u>	<u>Y</u>		<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>		<u>Staff</u>
Short-term Lodgings <u>Short-Term Lodging</u>	N, except Bed and Breakfast permitted as a Home Occupation.	HO	ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA/Staff</u>

...

Sec. 29.703. "UCRM" URBAN CORE RESIDENTIAL MEDIUM DENSITY ZONE.

...

Table 29.703(2)
Urban Core Residential Medium Density (UCRM) Zone Uses

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living Accessory Uses			

<u>Home Share</u>	<u>Y</u>		<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>		<u>Staff</u>
Short-term Lodgings <u>Short-Term Lodging</u>	N, except Bed and Breakfast permitted as a Home Occupation	HO	ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA/Staff</u>

...

Sec. 29.704. "RH" RESIDENTIAL HIGH DENSITY.

...

Table 29.704(2)
Residential High Density (RH) Zone Uses

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living Accessory Uses			

<u>Home Share</u>	<u>Y</u>		<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>		<u>Staff</u>
Short term Lodgings <u>Short-Term Lodging</u>	N, except Bed and Breakfast permitted as a Home Occupation	HO	ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	SP	<u>ZBA/Staff</u>

...

Sec. 29.705. "RLP" RESIDENTIAL LOW DENSITY PARK ZONE.

Table 29.705(4)
Residential Low Density Park (RLP) Zone Uses

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Household Living Accessory Uses</u>	-	-	-
<u>Home Share</u>	<u>Y</u>		<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>		<u>Staff</u>
Short term Lodgings <u>Short-Term Lodging</u>	N	-	

...

Sec. 29.801. NEIGHBORHOOD COMMERCIAL ZONING STANDARDS

...

**Table 29.801(2)
Neighborhood Commercial (NC) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Household Living Accessory Uses</u>	-	-	-
<u>Home Share</u>	<u>Y</u>		<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>		<u>Staff</u>
Short term Lodgings <u>Short-Term Lodging</u>	<u>N</u>	-	
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA/Staff</u>

...

Sec. 29.802. "CCN" COMMUNITY COMMERCIAL NODE.

...

**Table 29.802(2)
Community Commercial Node (CCN) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living	N		
Short term Lodgings <u>Short-Term Lodging</u>	<u>Y, except Bed & Breakfast Establishment</u>	SDP Minor	Staff

...

Sec. 29.804. "HOC" HIGHWAY-ORIENTED COMMERCIAL.

...

**Table 29.804(2)
Highway-Oriented Commercial (HOC) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Short term Lodgings <u>Short-Term Lodging</u>	<u>Y, except Bed & Breakfast Establishment</u>	SDP Minor	Staff

...

29.805. "PRC" PLANNED REGIONAL COMMERCIAL.

...

**Table 29.805(2)
Planned Regional Commercial (PRC) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Short-term Lodgings <u>Short-Term Lodging</u>	<u>Y, except Bed & Breakfast Establishment</u>	SDP Minor	Staff
***			-

...

Sec. 29.806. "CCR" COMMUNITY COMMERCIAL/RESIDENTIAL NODE.

...

**Table 29.806(2)
Community Commercial/Residential Node (CCR) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Household Living Accessory Uses</u>			
<u>Home Share</u>	<u>Y</u>		<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>		<u>Staff</u>
Short-term Lodgings <u>Short-Term Lodging</u>	<u>Y, except Bed & Breakfast Establishment</u>	SDP Minor	Staff

...

Sec. 29.808. "DSC" DOWNTOWN SERVICE CENTER.

...

Table 29.808(2)
Downtown Service Center (DSC) Zone Uses

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Household Living Accessory Uses</u>			
<u>Home Share</u>	<u>Y</u>		<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>		<u>Staff</u>
Short term Lodgings <u>Short-Term Lodging</u>	<u>Y, except Bed & Breakfast Establishment</u>	SDP Minor	Staff

...

Sec. 29.809. "CSC" CAMPUSTOWN SERVICE CENTER .

...

Table 29.809(2)
Campustown Service Center (CSC) Zone Uses

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Household Living Accessory Uses</u>			
<u>Home Share</u>	<u>Y</u>		<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>		<u>Staff</u>
Short term Lodgings <u>Short-Term Lodging</u>	<u>Y, except Bed & Breakfast Establishment</u>	SDP Minor	Staff

...

Sec. 29.903. Research Park Innovation District (RI)

...

Table 29.903(2)
RI Zone Uses

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Short term Lodgings <u>Short-Term Lodging</u>	<u>Y</u> , except <u>Bed & Breakfast Establishment</u>	SDP Minor	Staff

Sec. 29.1003 S-SMD SOUTH LINCOLN SUB AREA MIXED-USE DISTRICT

...

Table 29.1003(2)
South Lincoln Sub Area (S-SMD) Mixed-Use District

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living Accessory Uses			

<u>Home Share</u>	<u>Y</u>		<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>		<u>Staff</u>
Short term Lodgings <u>Short-Term Lodging</u>	N , except Bed and Breakfast permitted as a Home Occupation	HO	ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA/Staff</u>

...

Sec. 29.1004 "DGC" DOWNTOWN GATEWAY COMMERCIAL

...

**Table 29.1004(2)
Downtown Gateway Commercial Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

<u>Household Living Accessory Uses</u>			
<u>Home Share</u>	<u>Y</u>		<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>		<u>Staff</u>
Short-term Lodging <u>Short-Term Lodging</u> (stand alone or mixed use)	<u>Y, except Bed & Breakfast Establishment</u>	SDP Major	Staff

...

Sec. 29.1101 "O-SFC" SINGLE FAMILY CONSERVATION OVERLAY

(4) Permitted Uses.

(a) Subject to the Building/Zoning Permit requirements of Section 29.1501, land, buildings and structures may be used for the following purposes in an O-SFC Zone without City Council approval, in accordance with standards and regulations of the Base Zone as set forth in Table 29.1101(4)(a) below:

**Table 29.1101(4)(a)
Single Family Conservation Overlay (O-SFC) Uses**

<u>USE CATEGORIES</u>	<u>STATUS</u>	<u>APPROVAL REQUIRED</u>	<u>APPROVAL AUTHORITY</u>
<u>RESIDENTIAL USES</u>	-	-	-
<u>Household Living</u>	-		-
<u>Single-Family Dwelling</u>	<u>Y</u>		<u>Staff</u>
<u>Two-Family Dwelling</u>	<u>Y</u>		<u>Staff</u>
<u>Household Living Accessory Uses</u>	-	-	-
<u>Home Share</u>	<u>Y</u>		<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>		<u>Staff</u>
<u>Short-Term Lodging</u>			
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA/Staff</u>

- ~~(i) Dwelling—Single Family~~
- ~~(ii) Dwelling—Two Family~~

(b) All uses and structures conforming to the Base Regulations and all lawfully vested nonconforming uses and structures that exist in the O-SFC on the effective date of the amendment of the official zoning map to show the O-SFC are hereby deemed to be conforming with the terms of this Section. The O-SFC shall not be deemed to create a nonconforming use or structure within the scope of Section 29.307.

...

Sec. 29.1201. "F-VR" VILLAGE RESIDENTIAL DISTRICT.

...

Table 29.1201(5)
Village Residential (F-VR) Floating Zone Uses

USE CATEGORY	NEIGHBORHOOD CENTER	NEIGHBORHOOD GENERAL	NEIGHBORHOOD EDGE
RESIDENTIAL_*			

*Guest lodging is subject to the requirements of Chapter 35.

...

Sec. 29.1202. "F-S" SUBURBAN RESIDENTIAL ZONE.

...

Table 29.1202(4)-1
Suburban Residential Floating Zoning
Residential Low Density (FS-RL) Uses

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living Accessory Uses			

<u>Home Share</u>	<u>Y</u>		<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>		<u>Staff</u>
Clubhouse	N		
Short-term Lodgings <u>Short-Term Lodging</u>	N, except Bed and Breakfast permitted as a Home Occupation	HO	ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA/Staff</u>

...

**Table 29.1202(4)-2
Suburban Residential Floating Zoning
Residential Medium Density (FS-RM) Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			

Household Living Accessory Uses			

<u>Home Share</u>	<u>Y</u>		<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>		<u>Staff</u>
Short term Lodgings-Short-Term Lodging	N, except Bed and Breakfast permitted as a Home Occupation	HO	ZBA/Staff
<u>Bed & Breakfast Establishment</u>	<u>Y</u>	<u>SP</u>	<u>ZBA/Staff</u>

...

Sec. 29.1203. "F-PRD" PLANNED RESIDENCE DISTRICT

...

**Table 29.1203(4)
Planned Residence District (F-PRD) Floating Zone Uses**

Permitted Principle Uses	Permitted Accessory Uses
***	<p>Accessory uses of the Household Living category provided for in <u>Table 29.501(4)-1 Section 29.500</u> of this ordinance. <u>Guest lodging is subject to the standards of Chapter 35.</u> Garages Open space uses Home occupations subject to standards of Section 29.1304 of this ordinance Home Day Care subject to the standards of Section 29.1304 Office and Trade use where the property owner can demonstrate through a written Market Study that the Office and Trade use can be supported by the residents of the Planned Residence District Project Rental services offices not to exceed 5,000 square feet Assisted Living, for the residents of the PRD</p>

Sec. 29.1302. GUEST LODGING REQUIREMENTS. ~~BED & BREAKFAST ESTABLISHMENTS.~~

- (+) Special Use Permit. Bed & Breakfast Establishments must obtain a Special Use Permit from the Zoning Board of Adjustment prior to receiving a guest lodging license.
- ~~(1) To obtain a Special Use Permit for a Bed & Breakfast Establishment, all criteria in "Home Occupations," set forth in Section 29.1304, must be met, in addition to the following:~~
- ~~(2) **Guest Rooms.** A maximum of 5 per structure in the RM and RH Zones and a maximum of 2 per structure in the RL Zone. The Zoning Board of Adjustment may restrict the number of guest rooms to a lesser number.~~
- ~~(3) **Breakfast shall be the only meal served.** This service must occur before 11:00 a.m. Only guests~~

~~residing in the structure or persons living in the premises may be served. The structure shall not be remodeled into a commercial kitchen unless required by Environmental Health rules and regulations established pursuant to Municipal Code Chapter 11.~~

- ~~(4) (2) **Guest Rooms.** Bed & Breakfast Establishments may have no more than five approved guest bedrooms. The Zoning Board of Adjustment will determine the number of bedrooms specific to the dwelling unit.~~
- ~~(5) (3) **Off-Street Parking Requirements.** Bed & Breakfast Establishments must have one reserved space per guest room, plus one space for the owner. The parking spaces shall meet standards established by Section 29.406 of this ordinance.~~
- ~~(6) **Guests shall register** upon arrival, stating their names, current residence address and the license plate number of the vehicle that is being used by the guest. The registration form shall be kept by the owner for a period of 3 years and shall be made available for examination by a representative of the City upon one day's notice.~~
- ~~(7) **Guest stays** shall be limited to 2 weeks.~~
- ~~(8) **The Special Use Permit** is not transferable to a subsequent owner or to another property.~~
- ~~(3) **Local and State Regulations.** The Guest lodging establishment must comply with local and state regulations regarding all applicable permits and licenses including, but not limited to fire, health, food service, hotel, liquor, revenue, building/zoning permits and licenses.~~

...

Sec. 29.1304. HOME OCCUPATIONS.

(1) Permitted, Special and Prohibited Home Occupations.

...

(viii) ~~Bed and breakfast operations;~~

...”

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out in Ames Municipal Code Chapter 29.

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

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law. Enforcement of this ordinance shall begin on September 3, 2019.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 13.100(5)(b) THEREOF, FOR THE PURPOSE OF HARMONIZING CHAPTER 13 WITH CHAPTER 35, GUEST LODGING CODE; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Section 13.100(5)(b) as follows:

“Sec. 13.100 GENERAL

...

(5) Exceptions.

The following residential structures are exempt from these rules:

...

(b) the use of a dwelling unit, wholly or partially, as a Bed & Breakfast Establishment, Home Share, or Hosted Home Share licensed under Chapter 35.

...”

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out in Ames Municipal Code Chapter 13.

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

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law. Enforcement of this ordinance shall begin on September 3, 2019.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor

Staff Report

Vacation Lodging

June 11, 2019

BACKGROUND:

At the City Council meeting on April 23, 2019, Council indicated a desire to have a separate discussion and determination on the appropriateness of permitting Vacation Lodging (previously referred to as Vacation Rentals) in single family areas in light of the recent changes in state law regarding rental limitations. Staff was directed to remove the specific use from consideration of the proposed ordinances establishing Guest Lodging licensing (previously referred to as Short-Term Rentals) that are on this agenda for first reading. Although Vacation Lodging is not a rental use subject to the state law changes, it had intertwined expectations related to the Rental Code and the previous Rental Cap Neighborhoods.

Therefore, the purpose of this staff report is to give Council the opportunity to review, discuss, and determine if, or how to, move forward with code language governing Vacation Lodging. As a reference, a summary of the former draft language for Vacation Lodging is included within the Addendum.

Vacation Lodging means the use of an entire dwelling unit that is not the owner's primary residence for short term lodging and is the dwelling is generally offered as available for commercial purposes through an online marketplace. Vacation Lodging may be offered on an ongoing basis throughout the year as long as each guest contract is for 31 days or less. This definition treats the use as a principal use of lodging rather than as an accessory use to household living as is the case with the other short term lodging options

In October 2018, Staff's snapshot inventory indicated that 28 listings (out of a total of 51) or 55% were entire dwelling unit (Vacation Lodging) offerings. These units were generally dispersed geographically throughout the city as well as being dispersed among the various zoning districts. **Staff anticipates that the number of Vacation Lodging dwellings would increase with legalization and awareness of the short-term rental options available, as Staff has received many numerous inquiries from investors. In addition, offerings for Vacation Lodging appears to be growing both locally and as a national trend.**

Staff reviewed a sampling of approaches by other cities on this topic. Most communities recognize a difference between a hosted home share as an incidental, accessory use to Household Living and vacation lodging as a different type of use, which is more impactful of neighborhoods. The primary concerns with allowing a short term lodging use in

a residential area are impacts to housing supply for true household living needs and the transient nature of occupants (atypical parking needs, activity levels, familiarity with individuals, frequent changing of occupants).

A large variation of approaches is utilized around the country as a means of restricting Vacation Lodging along with licensing. Some of these include:

- Prohibit all together (some cities are backtracking from previously permitting to restricting, such as Nashville)
- Allow only in higher density/commercial zoning districts
- Cap the % of licenses that may issued
- Impose a separation distance between licensed Vacation Lodging units

If the City Council chose to proceed with allowing for the use, the following are five methods that may address concerns related to use.

Option 1- Original Proposal April 28th- Allow Vacation Lodging as previously proposed in all zoning districts where guest lodging may occur subject to a Special Use Permit.

Continue with previously proposed language requiring a Letter of Compliance and a Special Use Permit with the exceptions and exemptions for rental apartments. The original process included a Special Use Permit requirement within low density areas to address unique conditions of a property or neighborhood. The Special Use Permit process can address individual concerns of a site, but does not address cumulative issues of a high concentration of units very well.

The primary concern with this option is that with the removal of the Rental Cap, there is an increased likelihood of pressure for acquiring homes for investment purposes in near campus areas and leading to potential over concentration of the use along with high levels of rental occupied properties.

Option 2- Limit Vacation Lodging Based Upon Citywide Base Zoning Districts.

City Council could limit by base zoning district citywide where the use is allowable. **City Council could choose to allow the use in higher density areas and prohibit it in low density residential zoning districts and areas intended for single family conservation,** such as: RL & FS-RL, PRD, UCRM, O-SFC. Based upon Staff's snapshot inventory (October 2018), 21% of vacation lodging units were located within the above mentioned low density residential zoning districts. This approach would allow for use of apartments for this use subject to the proposed 10% limitation originally discussed in the draft ordinances from the April 28th. The proposed zoning districts allowing the apartment use included: RM, RH, FS-RM, NC, CCR, DSC, CSC, AND DGC.)

Restrictions of use within a zoning district is a common approach within the zoning ordinance. Prohibiting the use is the only direct way to address concentration or cumulative issues of allowing the use.

Option 3- Limit Vacation Lodging by an Overlay

If concentration issues are the primary concerns for certain areas of the City but not uniformly across the City, using overlay would be appropriate. Based upon Staff's snapshot inventory (October 2018), 11% of vacation lodging units were located within low density residential university-impacted neighborhoods.

This option could be accomplished by creating a new overlay for specific areas established within either the Zoning Ordinance if it requires specific use related controls, or it could be an element of the Chapter 35 Licensing.

Option 4- Separation Distance

If the primary concern with the use is over concentration and cumulative impacts of the use, a minimum separation distance could be created for lower density residential areas. This would assume a Special Use Permit is required, but include a specific distance separation requirement.

An example of this approach is a 500-foot separation standard for supervised transitional living uses in the Zoning Ordinance. A property owner would require approval of a variance to operate Vacation Lodging if they did not meet a separation standard. The simplest approach is a uniform radial distance requirement, likely similar to city block length of 300 feet or the 500-foot separation of a transitional home.

Option 5- Licensing Requirements

A different approach from land use management would be to change the licensing and operational requirements as described in the proposed Chapter 35 ordinance on this agenda. Additional or different standards could be added to address operational or conduct concerns. One concept proposed on April 28th was to include a "local" contact as a requirement. Staff did not initially propose this requirement due to uncertainty in what specific issues it could address about operations, especially if the issue is guest conduct based vs property upkeep. If City Council believes this would create better accountability we would need to identify what an appropriate proximity to the City is and intended level of responsiveness to contact by City officials.

STAFF COMMENTS:

If City Council finds it appropriate to direct staff to bring draft language of a text amendment forward for a public hearing any of these options are seen by staff as readily able to be implemented. Staff presumes that with any direction to proceed on allowing the use, Council would intend for licensing of the units to be required in addition to the compliance with the Rental Code. If City Council does not choose to allow for the vacation lodging use, with approval of the proposed ordinance on this agenda, the City would allow for primary residents of homes to operate short term lodging uses, just not absentee whole house lodging as a principal use.

ADDENDUM

Previously Proposed Text related to Vacation Lodging

Vacation lodging is an investment property that is made continuously available for short-term usage.

The allowance of Vacation Lodging as a transient occupancy use in residentially zoned areas has the potential to be incompatible with surrounding residential uses. Therefore, special regulation for short-term occupancy is necessary to ensure that Vacation Lodging use will be compatible with surrounding residential uses and will not materially alter the character of neighborhoods in which they are located.

Of the short-term rental types, the on-going transitory use of the dwelling makes vacation lodging the most impactful on a neighborhood. As such, vacation lodging cannot be considered an accessory use to Household Living. Rather, it would be considered to be a new type of principal use under short-term lodging.

In order for vacation lodging to be licensed, the dwelling would first require registration and inspection under the City's Rental Housing Code. Occupancy limitations would be aligned with the Rental Housing Code, Section 13.503. and would not exceed a total of five adults.

Additionally, vacation lodging would be subject to the scrutiny of the special use permitting process to address unique conditions of an area and individual property. A licensing application would be required that would be administratively approved, once both rental code compliance and the special use permit is granted. Rental apartments would be licensed with one license per parcel or development. However, a 10% restriction would be placed upon the total percentage of rental apartment units allowed as vacation lodging. Rental apartments located in a Residential Low Density (RL) zoning district would not be permitted to operate as vacation lodging. Conversely, rental apartments would be exempt from the special use permit requirement in certain commercial and higher density residential zoning districts. The zoning tables located within the Zoning Ordinance would provide guidance.

Summary of previous Vacation Lodging standards:

- Annual License required
- Applicant is the Property Owner
- Local Contact Information / Property Representative required
- Available in any housing type
- The dwelling unit is located in a zoning district permitting their use: A, RL, RM, UCRM, RLP, RH, F-VR, FS-RL, FS-RM, F-PRD, S-SMD, NC, CCR, DSC, CSC, or DGC, with the exception that apartment rentals located within the RL zoning district may NOT be utilized as short-term vacation rentals.
- Occupancy Limitations based upon Ames Municipal Code Section 13.503; may not exceed five adults.
- Off-Street Parking- 1 space per bedroom (maximum required - 5 spaces). Rental apartments in zones with less parking required are not subject to this standard.
- Subject to Tax Compliance.
- Special Apartment Restrictions or Exemptions-
 - RL Zoning. Apartment rentals located within the RL zoning district may NOT be utilized as short-term vacation rentals.

- Percentage of Apartment Rentals within One Parcel. The short-term usage of apartment rentals as vacation lodging [by the property owner] within a single parcel or common development is restricted to the greater of one dwelling unit or up to 10% of the total number of units located within a parcel or common development.
- Letter of Compliance- may not advertise or operate without a valid LOC in effect.
- Special Use Permit required prior to licensing. Exemptions included for apartment rental units located in certain zoning districts, including: RM, RH, FS-RM, NC, CCR, DSC, CSC, AND DGC.
- Concurrent Guest Contracts not allowed within a dwelling unit.
- Mandatory postings of license.
- Registry of Guests required.
- Ongoing Compliance required and responsiveness to any complaints.
- Same Application Submittal and Review, approval, non-renewal, and revocation as Guest Lodging.
- Considered as a new principle use within the Zoning Ordinance (Chapter 29) under Short-Term Lodging, within the zoning district tables.

Staff Report

321 STATE AVENUE DEVELOPMENT PROJECT UPDATE

June 11, 2019

The development of the property at 321 State Avenue has been discussed with City Council on at least five occasions since summer 2016. In January 2018, City Council directed staff to construct the extension of Tripp Street with CDBG funds to facilitate development of the site. On March 6, 2018, City Council provided direction for staff to evaluate options regarding how to develop the property with single family homes, detached and attached, with the City acting as the developer for the site. Staff is now prepared to provide a financial update regarding development of Phase II of the property.

Phase I of the development has been completed as of May 2019, which involved the infrastructure improvements for the extension of Tripp Street through the parcel. Those improvements included new asphalt street pavement with concrete curb and gutter, water main installation, storm water improvements, and electric conduit. The funding for this project was part of the 2018-19 CDBG Action Plan Infrastructure Improvements Program. With the installation of Tripp Street now complete, options to proceed with subdivision and home construction are now available.

Subsequent to the direction by City Council in March 2018, the City was notified that it was eligible to receive its first allocation of HOME funds to support affordable housing in addition to the City's CDBG entitlement funds. As part of the 2018-19 CDBG Action Plan, the HOME allocation was designated to provide for the direct construction of homes on the 321 State site, and a small portion of CDBG funds were designated to provide for potential homebuyer assistance. The figures presented in this report are preliminary estimates; City Council action on the Consolidated Plan and Annual Action Plan is required to finalize all the programs and funding for each program.

2019-2020 CDBG Anticipated Resource	Estimated Funding
19-20 CDBG Allocation	\$581,968
18-19 Anticipated Program Rollover Balance	\$570,000
19-20 Citywide Program Income* (Village, Morningside, Stafford, 6th)	\$350,000
<i>Less CDBG Program Administration (20%)</i>	<i>-\$116,394</i>
Total CDBG Anticipated Revenue	\$1,385,574
Non-CDBG Revenue Resources (GO Bonds)	\$250,000
Grand Total Revenues for Programming	\$1,635,574

**Timing of sales of properties and final sale prices not determined*

2019-2020 HOME Anticipated Revenue	Estimated Funding
2019-20 HOME Allocation	\$481,968
2018-19 Anticipated Rollover Balance	\$747,750
<i>Less Adjustment for CHDO Set Aside 15%</i>	<i>-\$184,795</i>
<i>Less Program Administration 10%</i>	<i>-\$120,946</i>
Grand Total HOME Anticipated Revenue for Programming*	\$923,977

**Local match of 20% required with HOME funds, GO Bonds are planned match*

Staff has prepared a cost estimate to proceed with infrastructure to fully develop the site based on a layout that creates 37 single-family detached lots (Attachment A). This is an option that is similar to prior discussions with market rate homes intended to be constructed on the south side of Tripp Street and affordable housing on the north side. Staff anticipates 19 affordable homes and 18 market rate homes based upon the described configuration.

The describe layout anticipates the highest public infrastructure cost by assuming all public improvements needed to serve the development. This is critical for understanding what CDBG resources are likely needed to support the development of the site. The infrastructure costs assume water, sewer, storm water, and paving to serve individual lots fronting upon the described street segments.

Project Component	Tripp St. (Utilities)	S. Wilmoth (Utilities)	South cul-de-sac (All)	Manning Extension (All)	Total (2019 dollars)
Public Improvement Expenses	\$94,024	\$183,912	\$396,563	\$607,821	\$1,279,444

If a component of the north side is able to be developed with some attached single-family homes, it would likely reduce some of the public infrastructure costs, but increase the private infrastructure costs. The attached housing option can be determined through subsequent efforts to identify an affordable housing developer interested in this type of product.

To proceed with home development, staff would begin work to design and construct infrastructure for Wilmoth and the south cul-de-sac during the upcoming fiscal year. Tripp Street improvements may be included if practicable with the other work. This would require funding of approximately \$579,000 to \$664,000 to complete the infrastructure and create a mix of market rate and affordable housing lots. In the following year (FY20-21), it is presumed the City would move forward with construction of the Manning Extension either as a public street with detached home lots or as a single-family attached housing with a development partner.

Once lots are created, there will likely be program income to help fund future improvements from the sale of market rate lots and potentially from affordable housing lots. **Staff does not forecast any lots sales at 321 State Avenue in the upcoming fiscal year to help finance the next phase.** Based on research concerning values of similar lots in the area and Citywide, the projected valued for the 321 State Avenue lots could be in the approximate range of \$45,000 to \$55,000 each.

It is likely that the affordable housing lots would likely have a reduced sales price to subsidize construction of affordable housing. The City may seek a reasonable return of a maximum of approximately \$20,000 per lot, but it may be more or less depending on specific circumstances. Reliance on future lots sales or the use of future CDBG entitlement allocation funding will be needed to complete all of the projected infrastructure costs for buildout of the site.

Construction of affordable housing can begin in fiscal year 2019-20 with the City taking on the responsibility for the construction of the first three homes to be located along Wilmoth Avenue. Staff would work to identify other interested parties for additional lots in the subdivision to minimize future City involvement in home construction.

With the City acting as the developer, HOME funds would be used to construct/purchase the homes (if approved per HUD regulations). Under the HOME regulations, in addition to household income qualifications, there is a maximum purchase price for Ames of \$227,000 (for any size household). There is also a minimum subsidy level (\$1,000 regardless of the home size) and maximum subsidy level (\$248,652 in Ames for a three-bedroom home).

With these caps in place, staff researched housing options and would recommend working with a modular home firm to provide the home product. As the developer, staff would then solicit proposals from modular home builders and with foundation contractors to construct the homes, if needed.

A three bedroom, 1.5-2 baths, modular ranch-style home of 1,100 to 1,300 square feet, including foundation and utilities, could range in cost from \$192,000 to \$198,000 to construct. Modular construction was utilized by the City in the development of 48 homes in the Bentwood Affordable Housing Program in West Ames in 1994-1995. The modular homes were well constructed and the project was able to be completed in a timely manner. Using modular housing would reduce administrative efforts by City staff to coordinate construction compared to site built homes with a general contractor.

Staff also has research some affordability scenarios of what eligible first time homebuyers could afford. Based on a family size of three, the 80% limit is currently \$57,500. Based upon a well-qualified applicant for a FHA/IFA loan, this income level may possibly qualify someone for a purchase price of \$150,000 to \$180,000. Previously staff articulated that a more typical applicant with a lower credit score and higher debt would more likely qualify for a \$130,000 purchase price. **It appears from the current understanding of modular**

home construction costs and home subsidy limitations, the City can financially support the construction of the first three homes next year and could possibly support up to five homes.

3-Person Household	Estimated Cost/Subsidy
Average Modular Homes Price	\$194,000
Lot value avg.	\$50,000
Average Home Value	\$244,000
Well Qualified Buyer Avg. Purchase Price	\$165,000
Affordability Gap	\$79,000
Typical Low Income Buyer Avg. Purchase Price	\$130,000
Affordability Gap	\$114,000

Ideally after the first year, the City would not be directly involved in the construction of homes and individual lots would be built upon by others with City financial assistance. Staff has had conversations with nonprofits about this and there is interest to acquire individual lots. In the event selling individual lots is not possible, the City may have to continue with additional resources in the future to construct homes and find buyers to complete the project. The construction pace planned for the site would be designed to allow for homes to be sold within less than nine months following their completion. There is a caveat to HOME funding that a built structure needs to be occupied and if it is not sold and occupied within nine months, it would likely need to become a rental property to meet HOME regulations.

STAFF COMMENTS:

Starting this next phase of the development of 321 State Avenue is vital to not only meeting the needs identified within our Five-Year Consolidated Plan and Impediments Study on the lack of ownership housing for lower-income households, it also will help the City remain timely in expenditures in for both CDBG funds and newly obtained HOME dollars. Additionally, the investment to allocate all of our 2019-20 grant funding and rollover funds to the 321 State Avenue project is critical as the City enters into compliance deadlines in 2020 for project activity measurements and environmental clearances.

The described approach requires the City to be responsible for developing the site and providing at least three homes in the next fiscal year for low income household purchase. This would be staff’s primary task for the upcoming year. To minimize the use of City resources to complete the overall project, staff would work to make individual lots available to affordable housing developers to construct homes and sell them to low income households. Additionally, the market rate lots would be made available for purchase to any builder. Income generated from the sale of lots will be CDBG program income and can help to finance the later phase of the project. Based upon the financial resources described in this report the City can proceed with the initial construction using HOME funds and the GO Bond funds as a local match, but in future years we would want to use HOME funds to leverage construction of homes rather than fully finance them ourselves.

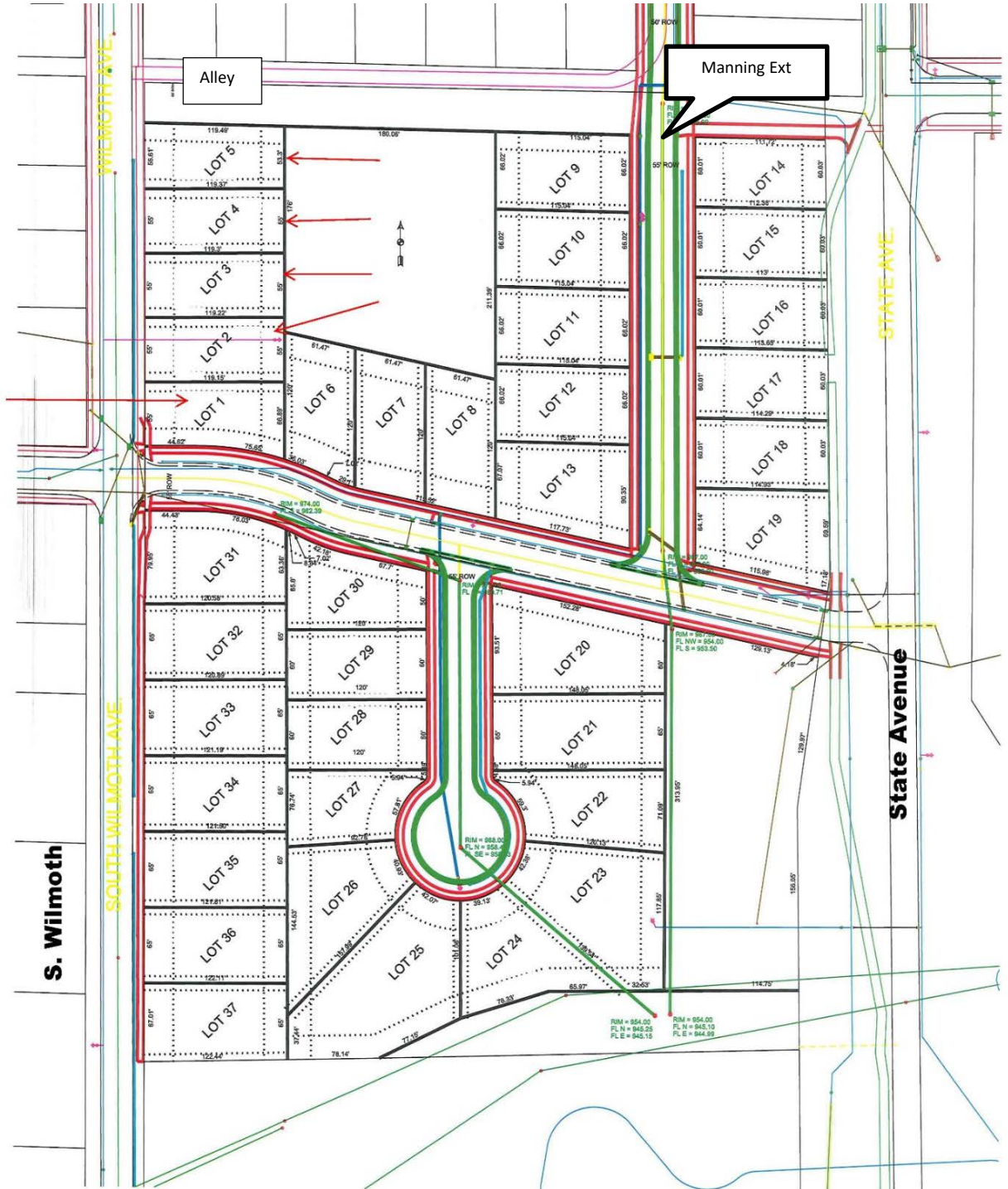
NEXT STEPS:

The information presented in this report is intended to help define the financial scope of the project and needs for the upcoming fiscal year. **The following next steps are needed to proceed with development of the site; however, City Council is not taking action on each of these tonight. These are administrative steps staff will proceed with, and reports will be returned to the City Council as required to continue with the project.**

1. Prepare subdivision and improvement plans for the site.
 - a. Prepare plans based on single-family detached housing with an option for attached single family on the northeast side of the site
 - b. Construct additional infrastructure along Wilmoth and the south cul-de-sac as described in this report.
2. Prepare a RFP for construction of 3-5 modular homes along S. Wilmoth Avenue.
3. Identify affordable housing developer partners and prepare agreements for the construction and sale of homes for affordable income housing
4. Coordinate a first time homebuyer program to assist in the purchase of the affordable housing units.
5. Prepare documents and agreements for recapture provisions on future resale of the affordable housing units.
6. Plan for the future sale of approximately 18 market rate lots.

If City Council has an interest in alternative design elements from those described in this report or an approach to developing the property, it can provide this direction to staff at this time. It is important to provide direction at this time on how to proceed so the City move forward expeditiously to reach the goal of building affordable housing.

Attachment A



COUNCIL ACTION FORM

SUBJECT: TEXT AMENDMENT TO CHAPTER 22 FOR DEFERRAL OF INFRASTRUCTURE

BACKGROUND:

The City established missing infrastructure improvement requirements in 2015 for new development and significant building additions. These new requirements were in response to concerns about extended delays in completing sections of infrastructure. Missing infrastructure includes requirements that right-of-way dedication, street paving, sidewalks, shared use paths, and street lights are present and in satisfactory condition or will be completed prior to completion of new buildings.

Requirements for missing infrastructure are tied to the issuance of building permits for principal buildings (Section 5.118 of the Ames Municipal Code (AMC)) and the standards for its installation and approval process by the Public Works Department are included within Section 22.31 of the AMC. The improvement standards are cross referenced to the City's requirements of the Subdivision Code found in Chapter 23 of the AMC.

Barilla requested the City Council authorize deferral of required infrastructure in unusual circumstances where coordination with future infrastructure is needed and it will not be done prior to completing a principal building on site. City Council authorized the City Attorney on September 11, 2018 to prepare a text amendment to address deferral concerns identified by Barilla and by staff.

Currently, the Public Works Director has limited discretion on approving alternative improvement designs and timing in relation to development of a site. The original requirements for the improvements and their timing for installation were established to ensure predictability in their completion, to minimize the administrative time spent on tracking deferrals, and closing gaps in the City's infrastructure. **The draft ordinance addresses three new circumstances for the Public Works Director to authorize deferral rather than require installation concurrent with the construction of a principal building.**

Section (5).a. THREE-YEAR TEMPORARY DEFERRAL WITH FINANCIAL SECURITY

In this option, a developer would provide financial security for the construction of the missing infrastructure, but would be allowed to defer implementation for up to three years upon approval by the Public Works Director. The three-year deferral would be similar to the timeframe allowed within the Subdivision Code for completing required improvements within three years of approval of a final plat. **The intent would only be to allow such a deferral when there are extenuating circumstances about completing the project concurrent with completing the principal building.**

Section(5).b PROVIDE CASH IN LIEU PAYMENT

This option would allow for the developer to provide financial security to the City for future improvements upon approval by the Public Works Director. This option would remove the obligation for the improvement from the property owner and require the City to implement the project in the future. This option would be available in limited circumstances where completing the missing infrastructure with a future City project is more appropriate. **With this option, the City would carry the long-term obligation of constructing the project. Allowing such a deferral would not be appropriate when existing improvements (such as connecting sidewalks) are located near the site and is only available in limited circumstances.**

SECTION (5).C. CITY S-GA ZONED LAND DEFERRAL

Currently, the standards do not directly address unique circumstances related to City-owned property. This language is intended to address unique conditions related to either shape, use, or authorized funding related to improvements on S-GA zoned property. **This option is not meant to waive requirements for completing missing segments of improvements when there are critical links and practicable.** For example, completing a sidewalk along Duff Avenue for Homewood Golf Course would be practicable and complete a missing link; however, constructing a sidewalk along 20th Street may not be desirable due to its closeness of play/safety and it is not a critical link due to no missing connections to other areas. Other circumstances could arise where large properties with small improvements trigger disproportional improvements that are not funded or the City has chosen to fund alternative improvements that are not on site.

ALTERNATIVES:

1. The City Council can approve the first reading of the proposed ordinance related to deferral of missing infrastructure.
2. The City Council can recommend alternative language for the proposed text amendment.
3. The City Council can request additional information and defer taking action.

CITY MANAGER'S RECOMMENDED ACTION:

Barilla identified concerns on the timing of installation of missing infrastructure for private development. Staff has identified a similar issue for City-controlled properties due to the combination of unique property sizes, uses, and capital improvement programming (CIP). **Staff believes that with limited application of the proposed changes, the ordinance continues to serve its original intent by expecting closure of gaps while allowing for limited opportunities to defer improvements subject to approval by the Public Works Director.**

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1 which is approve new options for deferral of infrastructure.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 22.31(5) AND RENUMBERING THE CURRENT SECTION 22.31(5) TO 22.31(6) THEREOF, FOR THE PURPOSE OF ESTABLISHING DEFERRAL OPTIONS FOR INSTALLING INFRASTRUCTURE; 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 as follows:

“Sec. 22.31. INFRASTRUCTURE REQUIRED

...

(5) Deferral Options. In limited circumstances a building permit may be issued without completion of the final infrastructure improvements if one of the following infrastructure-deferral options is approved by the Public Works Director:

- (a) Three-year temporary deferral with financial security. A developer may provide financial security in the form of cash, letter of credit, or bond for the missing infrastructure, and be allowed to defer implementation for up to three years with approval of the Public Works Director. This option is only available when there are extenuating circumstances related to project coordination with City plans for improvements making it impractical to complete the infrastructure concurrent with completing the principal building.
- (b) Cash payment for future improvements. A developer may provide cash payment to the City, which the City will use to construct the infrastructure in the future, subject to the City’s discretion on the timeline for completion. The developer would be relieved of the obligation for installing or constructing the infrastructure and the City would assume responsibility for installing or constructing the infrastructure. The Public Works Director will set the amount of the cash payment to cover costs of the infrastructure based upon and engineer’s estimate for the City to complete the work. This option is only available when there are extenuating circumstances making it premature or impractical to complete the infrastructure concurrent with completing the principal building and it would be appropriate for the City to integrate completion of the missing infrastructure as part of a planned improvement. This option is not allowed when existing improvements, such as connecting sidewalks, are located near the site and the City has no specific project planned for making other improvements.
- (c) For City owned property zoned S-GA the City shall strive to complete critical missing links with improvements to its property; however, the Public Works director may approve deferral of infrastructure in recognition of planned City improvements, unique circumstances related to shape or use of the property, or due to City Council authorization of funding for a project.”

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

John A. Haila, Mayor

COUNCIL ACTION FORM

SUBJECT: RENTAL CAP ORDINANCE REPEAL

BACKGROUND:

In 2018, Council adopted a rental cap ordinance that prohibited new rental properties from being added in certain neighborhoods (established by Resolution) near the ISU campus. The Governor signed a bill into law on May 2, 2019, prohibiting cities from enacting and enforcing any type of rental cap ordinance. In response to a staff memo, at the May 14, 2019 City Council meeting, the City Council directed staff to draft an ordinance repealing the rental cap.

Staff has determined that the following sections of Chapter 13 of the *Ames Municipal Code* are no longer valid after the recent legislation:

13.201 Rental Concentration Cap Neighborhoods: *Certain neighborhoods as designated by a Resolution adopted by the City Council, which are subject to the limitation on the number of rental properties established in Section 13.300(9).*

13.300(9) Limitation on number of rental properties in certain neighborhoods.

13.300(10) Rental Concentration Cap Exception

13.300(11) Property Sale Hardship Exception

13.303 Temporary Moratorium on Issuance of Rental Letters of Compliance

The proposed ordinance with the above sections repealed is attached.

The recently passed state legislation does not prevent the enforcement of any of the occupancy changes that were made to the *Municipal Code* in the past several months. Therefore, occupancy will remain limited to:

- Three adult occupants in a one-, two-, or three-bedroom dwelling unit
- Four adults in a four-bedroom dwelling unit
- Five adults in a dwelling unit with five or more bedrooms
- Properties in the Near Campus Neighborhoods (Note: these are different from the Rental Concentration Cap Neighborhoods) are still limited to a number of adult occupants which is equal to the number of bedrooms the City had on file on January 1, 2018.

It is noted that, should Council proceed with this ordinance, at the third reading Council will also be asked to rescind the Resolution defining the Rental Concentration Cap Neighborhoods.

ALTERNATIVES:

1. Approve on first reading the ordinance repealing the rental cap code language. This ordinance will remove all code sections in Chapter 13 relating to the rental percentage cap.
2. Deny on first reading the ordinance repealing the rental cap code language. This would keep the existing language in the *Municipal Code*, even though it is not enforceable.

CITY MANAGER’S RECOMMENDATION:

State law now prohibits cities from enforcing a rental concentration cap ordinance. In an effort to keep the *Municipal Code* up-to-date and enforceable, and clear to the public, it would be appropriate to remove the language in *Ames Municipal Code* relating to the rental concentration cap. The establishment of the rental concentration cap neighborhoods is done via resolution, so should Council proceed with this ordinance, at the third reading Council will also be asked to rescind the Resolution defining the Rental Concentration Cap Neighborhoods.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 and thereby approve on first reading an ordinance repealing the rental cap language in the Rental Code.

ATTACHMENT

NOTE: As the usual procedure for repealing sections of the *Ames Municipal Code* is just to list in the proposed ordinance the numbers of the sections being repealed, staff thought it would be helpful for Council to see the full text of the language regarding the Rental Cap which would be repealed by the ordinance:

“Sec. 13.201. TERMS DEFINED.

REPEAL:

RENTAL CONCENTRATION CAP NEIGHBORHOODS: Certain neighborhoods as designated by a Resolution adopted by the City Council, which are subject to the limitation on the number of rental properties established in Section 13.300(9).

(Ord. 4354, 5-22-18).

Sec. 13.300. GENERAL.

REPEAL:

(9) Limitation on number of rental properties in certain neighborhoods.

For each neighborhood established as a Rental Concentration Cap Neighborhood, the number of rental dwellings allowed shall be no more than 25% of the dwellings in each neighborhood. In each neighborhood, only properties zoned R-L or UCRM will be used in calculating the percentage of rental dwellings to other dwellings in the neighborhood. No new rental registration applications will be accepted or approved in a neighborhood if the neighborhood has 25% or more registered rental dwellings or the application for a new rental registration would cause the ratio of rental dwelling to other dwellings to exceed 25%.

Rental dwellings in a Rental Concentration Cap Neighborhood with a rental registration or Letter of Compliance in place as of the date of establishment of a Rental Concentration Cap Neighborhood will be allowed to remain as registered rental properties and may renew their Letters of Compliance even if the number of rental dwellings is above the 25% cap. Additionally, the owner of a dwelling constructed as a duplex may register and obtain a Letter of Compliance on one or both units of the duplex, regardless of whether the 25% cap is exceeded in the neighborhood. If a registered rental dwelling that was not constructed as a duplex ceases to operate as a licensed rental dwelling, the owner cannot subsequently register the dwelling if the registration would cause the ratio of rental dwellings to other dwellings to exceed 25%. Transitional Letters of Compliance may be issued regardless of the 25% cap.

(Ord. 4354, 5-22-18; Ord. 4366, 8-14-18)

(10) Rental Concentration Cap Exception

For properties within a Rental Concentration Cap Neighborhood, a property owner of record on October 27, 2017 may apply for an exception in order to register their primary residence as a rental property and complete all requirements of the Rental Code to obtain a Letter of Compliance. The property owner is responsible for all application requirements for the exception, registering the property, and obtaining a Letter of Compliance. A Letter of Compliance obtained under this exception is not transferable to a new owner upon the sale of the property. Any property sold subsequent to October 27, 2017 without a valid Letter of Compliance in regards to this exception shall not be eligible for a Letter of Compliance.

The exception is subject to minimum application standards and performance requirements described below. The exception may be approved by the Building Official upon review of the application for consistency with the standards of this Chapter. The Building Official may forward the application to the City Council for review upon any finding of irregularity in documentation with the application. A property owner may appeal the decision of the Building Official to the City Council. Property owners determined to have been renting without a required Letter of Compliance are not eligible for the exception.

(a) **Exception Requirements**

- i. The property owner must have owned the property as of October 27, 2017 and

either 1) the property must be the primary residence of the property owner as of the date of application, or 2) the property owner had obtained, on or after October 28, 2016 and prior to October 27, 2017, a building, electrical, plumbing or mechanical permit which would indicate an intent to convert the property to a rental property.

- ii. The deadline to file an application is thirty (30) days from the effective date of this

ordinance.

- iii. The property owner must obtain an initial inspection and complete all requirements

for a Letter of Compliance within six (6) months of the inspection date.

- iv. If a property owner has not obtained a Letter of Compliance within six months, the

property registration shall expire and may not be renewed or reapplied for under this exception.

Upon receipt of a Letter of Compliance for the property, each subsequent renewal of the Letter of Compliance after the initial twelve months is subject to the dwelling's continued use as a bona fide rental dwelling and the dwelling is either not exempted by 13.100(5) of the Rental Code or is a one- or two-bedroom dwelling which is the owner's primary place of residence with a non-owner tenant.

(Ord. No. 4368, 8-28-18)

(11) **Property Sale Hardship Exception.**

For properties within a Rental Concentration Cap Neighborhood, a property owner may apply to the Building Official for a hardship exception to allow registration of the property for rental purposes in order to facilitate the sale of the property. The hardship exception is subject to minimum application standards described below and may be approved by the City Council upon review of the application.

Approval of the Property Sale Hardship by the City Council is for a six-month period to allow for sale of property to a new owner in an arms-length transaction to another party. The property owner may request a six month extension of the approval in order to complete work required to obtain a letter of compliance and/or to complete the sale and transfer of the property. An initial Letter of Compliance (LOC) will only be issued for one year for property registered under the hardship exception process. The LOC cannot be renewed by the property owner approved for a hardship, but can be renewed by the new property owner consistent with the standards of the Rental Code. Property owners determined to have been renting without a required Letter of Compliance are not eligible for a Property Sale Hardship Exception.

(a) **Application Requirements.** A property owner must submit documentation related to the following as part of the hardship application:

- i. The property must abut registered rental properties on three sides, or the substantial equivalent of three sides. An abutting side includes any shared property line of the subject site and includes property lines with residential property located across the street or an alley. An abutting side is any length of a property line that is 20 feet in length or greater.
- ii. The property must have been purchased or under a purchase agreement by the current owner prior to October 27, 2017.
- iii. The property has been offered and advertised for a minimum nine (9) consecutive months with a licensed realtor prior to the application for hardship.
- iv. Disclosure of any offers to purchase the property which have been declined.
- v. The original purchase price and date of purchase.
- vi. An appraisal prepared by a licensed appraiser for the value of the dwelling that also includes comparable sales within the appraisal.
- vii. A home inspection report describing the condition of the property.
- viii. Rental Housing Code pre-inspection and cost estimate for compliance with the Rental Housing code.

Upon submittal of the application to the Building Official, staff will review for completeness and adequacy of documentation provided within 10 days. Staff may request additional documentation in relation to the application requirements to determine completeness. Upon a determination that the application is complete, the application will be forwarded to the City Council within 30 days for Council review.

The City Council may approve a property sale hardship upon making both of the following findings:

1. The advantages to the neighborhood and the City of allowing for the property to be registered as a rental property to facilitate its sale outweigh the disadvantages to the neighborhood and City of exceeding the rental concentration cap.

2. The sale of the property would have been possible at a reasonable market value as a single family dwelling, but for the existence of the rental concentration cap.

(Ord. No. 4368, 8-28-18)

REPEAL:

13.303. TEMPORARY MORATORIUM ON ISSUANCE OF RENTAL LETTERS OF COMPLIANCE.

(1) The purpose of this ordinance is to provide a temporary means to protect neighborhoods by preserving the current level of rental properties in certain neighborhoods in the City while the Council considers other options to address issues regarding increasing number of rental units in certain residential neighborhoods.

(2) A moratorium on the acceptance of new rental registrations and issuance of new Letters of Compliance for single-family and two family homes is established and in effect within the Near Campus Neighborhoods. Except as noted in subsections (3) and (4) below, no new rental registrations will be accepted by the City and no new Letters of Compliance will be issued by the City during the moratorium period.

(3) Nothing in this section shall be construed to prohibit a property owner with a current rental Letter of Compliance from renewing the Letter of Compliance during the moratorium period. Nothing in this section shall be construed to prohibit a property owner with a current rental Letter of Compliance from transferring the Letter of Compliance to a new owner if the property is sold during the moratorium period.

(4) Property owners that have filed with the City a completed rental registration application or a presale inspection form prior to the effective date of this section may continue with the process, and the City may issue a Letter of Compliance in such cases during the moratorium period.

(5) The moratorium is effective until May 31, 2018, at which point this section shall become null, void and of no future effect.

(Ord. No. 4325, 10-24-17; Ord. 4343, 4-24-18)

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTIONS 13.201, 13.300(9), 13.300(10), 13.300(11) AND 13.303 THEREOF, FOR THE PURPOSE OF THESE SECTIONS NO LONGER BEING VALID AFTER RECENT LEGISLATION; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Sections 13.201, 13.300(9), 13.300(10), 13.300(11) and 13.303 as follows:

“**13.201 Rental Concentration Cap Neighborhoods:** Certain neighborhoods as designated by a Resolution adopted by the City Council, which are subject to the limitation on the number of rental properties established in Section 13.300(9).

13.300(9) Limitation on number of rental properties in certain neighborhoods.

13.300(10) Rental Concentration Cap Exception.

13.300(11) Property Sale Hardship Exception.

13.303 Temporary Moratorium on Issuance of Rental Letters of Compliance.”

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

John A. Haila, Mayor