

**AMENDED\***  
**AGENDA**  
**REGULAR MEETING OF THE AMES AREA**  
**METROPOLITAN PLANNING ORGANIZATION (AAMPO)**  
**TRANSPORTATION POLICY COMMITTEE AND**  
**REGULAR MEETING OF THE AMES CITY COUNCIL**  
**COUNCIL CHAMBERS - CITY HALL**  
**MARCH 22, 2022**

**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.

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

**CALL TO ORDER:** 6:00 p.m.

**CONSENT AGENDA:** All items listed under the Consent Agenda will be enacted by one motion. There will be no separate discussion of these items unless a request is made prior to the time the AAMPO Transportation Policy Committee votes on the motion.

1. Motion approving Annual Self-Certification for FY 2023
2. Resolution approving designation of AAMPO representatives to Central Iowa Regional Transportation Planning Alliance
3. Motion setting May 24, 2022, as date of public hearing regarding amendments to the FFY 2022-2025 Transportation Improvement Program

**ADMINISTRATION:**

4. Motion approving the Draft FY 2023 Transportation Planning Work Program and setting May 24, 2022, as date of public hearing

**POLICY COMMITTEE COMMENTS:**

**ADJOURNMENT:**

**REGULAR CITY COUNCIL MEETING\*\***

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

**CONSENT AGENDA:** All items listed under the Consent Agenda will be enacted by one motion.

There will be no separate discussion of these items unless a request is made prior to the time the Council members vote on the motion.

1. Motion approving payment of claims
  2. Motion approving the Regular Minutes of March 8, 2022
  3. Motion approving Report of Change Orders for period March 1 - 15, 2022
  4. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
    - a. Class C Liquor License with Sunday Sales - Dangerous Curves, 111 5th St., Pending Dram Shop Insurance
    - b. Class C Liquor License with Sunday Sales - Cinemark Movies 12, 1317 Buckeye Avenue
    - c. Class C Liquor License with Outdoor Service and Sunday Sales - Cornbred BBQ, 526 Main Street, Suite 106
    - d. Class B Liquor License with Sunday Sales - Radisson Ames, 2609 University Blvd.
    - e. Class C Liquor License with Outdoor Service and Sunday Sales - Brick City Grill, 2640 Stange Road
    - f. Class E Liquor License, Class C Beer Permit, Class B Wine Permit - Off Campus Beer & Spirits LLC, 4518 Mortensen Rd, Suite 109
  5. Resolution approving and adopting Supplement No. 2022-2 to *Municipal Code*
  6. Resolution approving appointment of Mike LaPietra to the Planning and Zoning Commission
  7. Resolution setting April 12, 2022, as date of public hearing for sale of City-owned property at 241 Village Drive to Habitat for Humanity of Central Iowa in the amount of \$100,000 and authorize staff to finalize terms and conditions for the sale
  8. Resolution approving Certified Local Government (CLG) Annual Report
  9. Resolution approving the State Historical Society of Iowa Grant-in-Aid Agreement for the Chautauqua Park - Ridgewood Intensive Survey, Certified Local Government Grant Project
  10. Resolution authorizing Public Art Commission to enter into agreements with artists for 2022/23 Ames Annual Outdoor Sculpture Exhibition selections
  11. Resolution approving exception to Section 22.32(c)(2)(v) to allow alcohol service in Sidewalk Café at Della Viti, 323 Main Street, Ste. 102
  12. Resolution approving exception to Section 22.32(c)(2)(v) to allow alcohol service in Sidewalk Café at Noir, 405 Kellogg
- \*Additional Item:** SCADA System for Electric Services:
- a. Resolution waiving City's Purchasing Policies and Procedures requirement for formal bidding
  - b. Resolution awarding contract to Open Systems International, Inc., of Medina, Minnesota, for The Monarch Support (Diamond/Gold/Diamond/Gold) for a four-year term in the total amount of \$321,021.00
13. Resolution approving Amendment to Lease Agreement with T-Mobile to authorize an emergency standby generator to be installed adjacent to T-Mobile's existing infrastructure located at the Bloomington Road Elevated Tank (BRET)
  14. Resolution approving the adoption of the 2022 Electric Reliability Plan statement
  15. Resolution approving request from ChildServe to modify its FY 2021/22 ASSET Contract to transfer \$6,000 from Daycare Infant to Daycare Children
  16. Resolution approving request from Heartland Senior Services to modify its FY 2021/22 ASSET Contract to transfer \$23,012 from Activity/Resource Center and \$16,912 from Congregate Meals to Home Delivered Meals

17. Requests from Frederiksen Court Community Center for Freddy Fun Run on Saturday April 23, 2022:
  - a. Motion approving blanket Temporary Obstruction Permit for the closed area
  - b. Resolution approving closures of portions of 6<sup>th</sup> Street from 9:30 a.m. to 11:30 a.m.
18. Requests from Ames Main Street (AMS) for Music Walk on Thursday, April 28, 2022:
  - a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License in Central Business District from 3:00 p.m. to 9:00 p.m.
  - b. Resolution approving closure of 10 metered parking spaces for vendors from 3:00 p.m. to 9:00 p.m.
  - c. Resolution approving waiver of parking meter fees and enforcement and usage and waiver of electrical fees, and waiver of fee for blanket Vending License for Ames Main Street from 3:00 p.m. to 9:00 p.m.
19. Resolution approving an Electric Utility Easement on State of Iowa property for the installation of electrical pull boxes along the east side of Beach Avenue between Sunset Drive and Country Club Boulevard
20. Resolution approving an Electric Utility Easement on State of Iowa property adjacent to the CyRide building that covers a new pad-mounted transformer and existing City-owned electric facilities not previously covered by an easement
21. South 16<sup>th</sup> Street Improvements:
  - a. Motion rejecting bids
  - b. Resolution approving preliminary plans and specifications; setting April 6, 2022, as bid due date and April 12, 2022, as date of public hearing
22. Resolution approving preliminary plans and specifications for 2020/2021 Concrete Street Improvement (Ford Street, Bell Avenue, S. 17<sup>th</sup> Street, S. Kellogg Avenue); setting April 20, 2022, as bid due date and April 26, 2022, as date of public hearing
23. Resolution accepting completion of Contract with Blade Runner Turbomachinery Services, LLC, for Unit 8 Turbine Generator Overhaul Project

**PUBLIC FORUM:** This is a time set aside for comments from the public on topics of City business other than those listed on this agenda. Please understand that the Council will not take any action on your comments at this meeting due to requirements of the Open Meetings Law, but may do so at a future meeting. The Mayor and City Council welcome comments from the public; however, at no time is it appropriate to use profane, obscene, or slanderous language. The Mayor may limit each speaker to three minutes.

**ADMINISTRATION:**

24. Staff Report regarding Outside Funding Request process
25. Staff Report regarding Naming Policy

**PLANNING & HOUSING:**

26. Motion directing staff to initiate annexation of 2219 and 2121 State Avenue
27. Dayton Avenue Tax-Increment Financing Development Agreement:
  - a. Motion directing staff to finalize the proposed Developer Agreement and return to City Council for final approval in April

28. Resolution approving 2022/23 Proposed Annual Action Plan Projects for Community Development Block Grant (CDBG) and HOME Programs

**HEARINGS:**

29. Hearing on proposal to sell, subject to easements, City-owned land locally known as 1101 Aviation Way (Sigler):
  - a. Resolution approving sale of 1101 Aviation Way to Mulmac, LLC
30. Hearing on proposal to vacate existing Public Utility Easement and Water Main Easement at 1915 Philadelphia Street:
  - a. Resolution approving vacating Public Utility Easement and Water Main Easement
31. Hearing on CyRide Electric Bus System Upgrades:
  - a. Motion accepting report of bids and delaying award
32. Hearing on 2021/22 Arterial Street Pavement Improvements (North Dakota Avenue and Ontario Street):
  - a. Resolution approving final plans and specifications and awarding contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$1,430,118.60, contingent upon receipt of Iowa Department of Transportation (IDOT) concurrence
33. Hearing on 2021/22 Collector Street Pavement Improvements (Hoover Avenue):
  - a. Resolution approving final plans and specifications and awarding contract to Manatt's Inc., of Ames, Iowa, in the amount of \$2,185,487.58

**ORDINANCES:**

34. Third passage and adoption of ORDINANCE NO. 4459 rezoning 525 SE 16<sup>th</sup> Street from Agricultural "A" to Highway Oriented Commercial "HOC" and retain the Environmentally Sensitive Area Overlay "O-E" for the floodway
35. Third passage and adoption of ORDINANCE NO. 4460 rezoning 2098 W. 190<sup>th</sup> Street from Floating Suburban Residential Medium Density (FS-RM) to Floating Suburban Residential Medium Density Planned Unit Development (FS-RM PUD) Overlay
36. Third passage and adoption of ORDINANCE NO. 4461 to allow temporary yard waste processing facilities through approval of a Special Use Permit by the Zoning Board of Adjustment

**DISPOSITION OF COMMUNICATIONS TO COUNCIL:**

**COUNCIL COMMENTS:**

**ADJOURNMENT:**

**Please note that this agenda may be changed up to 24 hours before the meeting time as provided by Section 21.4(2), *Code of Iowa*.**



**AMES AREA METROPOLITAN PLANNING ORGANIZATION  
TRANSPORTATION POLICY COMMITTEE**

**SUBJECT: AMES AREA MPO ANNUAL SELF-CERTIFICATION FOR FY 2023**

**BACKGROUND:**

Pursuant to federal regulations, each Metropolitan Planning Organization (MPO) must self-certify that its transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements.

In the last Ames Area MPO process review by the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA), **a joint report was issued finding that the transportation planning activities of AAMPO are being carried out in accordance with federal regulations, policies, and procedures.**

**ALTERNATIVES:**

1. Certify that the Ames Area MPO transportation planning process is being conducted in accordance with all applicable requirements.
2. Reject the certification.

**ADMINISTRATOR'S RECOMMENDED ACTION:**

The Administrator recommends that the Ames Area MPO Transportation Policy Committee adopt Alternative No. 1, as noted above.

**AMES AREA METROPOLITAN PLANNING ORGANIZATION  
ANNUAL SELF-CERTIFICATION**

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

- (1) 23 U.S.C. 134, 49 U.S.C. Section 5303, and 23 CFR Part 450;
- (2) In nonattainment and maintenance areas, Sections 174 and 176(c) and (d) of the Clean Air Act as amended (42 U.S.C. 7504, 7506(c) and (d) and 40 CFR 93);
- (3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- (4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex or age in employment or business opportunity;
- (5) Section 1101(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Pub. L. 109-59) regarding the involvement of Disadvantaged Business Enterprises in FHWA and FTA funded planning;
- (6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- (7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*) and 49 CFR parts 27,37, and 38, and USDOT implementing regulation;
- (8) Older Americans Act, as amended (42 U.S.C. 6101);
- (9) 23 U.S.C. 324, regarding prohibition of discrimination based on gender; and
- (10) Section 504 of the Rehabilitation Act of 1973 and 49 CFR Part 27, regarding discrimination against individuals with disabilities.

For AAMPO:

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John Haila, Chair  
Transportation Policy Committee

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Date

**AMES AREA METROPOLITAN PLANNING ORGANIZATION  
TRANSPORTATION POLICY COMMITTEE**

**SUBJECT:     DESIGNATION OF CIRTPA REPRESENTATIVES**

**BACKGROUND:**

Each year the Transportation Policy Committee appoints representatives and alternate representatives to the Central Iowa Regional Transportation Planning Alliances' (CIRTPA) two committees – the Transportation Policy Committee (TPC) and the Transportation Technical Committee (TTC). Since the Ames Area Metropolitan Planning Organization is an advisory member of CIRTPA, these are non-voting positions.

It is recommended that the Ames Area MPO's designated representatives for 2022 be as follows:

TPC Representative: Kyle Thompson, Transportation Planner  
TPC Alternate Representative: Damion Pregitzer, Traffic Engineer  
TTC Representative: Kyle Thompson, Transportation Planner  
TTC Alternate Representative: Damion Pregitzer, Traffic Engineer

**ALTERNATIVES:**

1. Appoint the individuals named above to their respective roles representing the Ames Area MPO on CIRTPA.
2. Designate other individuals to serve the Ames Area MPO in this capacity.

**ADMINISTRATOR'S RECOMMENDED ACTION:**

The Administrator recommends that the Ames Area MPO Transportation Policy Committee adopt Alternative No. 1, as noted above.

**AMES AREA METROPOLITAN PLANNING ORGANIZATION  
TRANSPORTATION POLICY COMMITTEE**

**SUBJECT: FFY 2022 - 2025 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)  
AMENDMENT**

**BACKGROUND:**

To receive Federal funds for transportation improvement projects, it is necessary for the projects to be included in the approved Iowa Department of Transportation Statewide Transportation Improvement Plan (STIP). The initial step in this process is for the Ames Area MPO to develop a regional Transportation Improvement Program (TIP). The Ames Area MPO's current TIP programs projects for federal fiscal years 2022 through 2025 and was approved on July 13, 2021. The TIP may be amended in accordance with prescribed amendment and public participation procedures.

**The City of Ames has requested (see attached request) that the Ames Area MPO make modifications to two projects listed in the FFY22-25 TIP as follows:**

- **loway Creek Trail Project (ID: 19249)**
  - **Total Cost:** Increase to \$1,082,000 (currently \$922,000)
  - **Federal Funding:** Increase to \$560,000 (currently \$400,000) in FFY22
  - **Location:**
    - **Old Location:** In the City of Ames, loway Creek: from Skunk River to S 5<sup>th</sup> Street.
    - **New Location:** In the City of Ames, loway Creek: from 0.5 miles east of S Duff Avenue to S 5<sup>th</sup> Street.
- **Skunk River Trail Project (ID: 14983)**
  - **Remove from the TIP** (Currently has \$160,000 in federal funding programmed in FFY22.)

Per the City of Ames request, the Skunk River Trail Project has seen a lack of property acquisition progress; therefore, it is likely that this project would need to continue to be rolled over into future fiscal years. Removing this project from the TIP and reprogramming those federal funds towards the loway Creek Trail project, which has an anticipated letting in September this year, would allow for a more immediate use of the MPO's TAP funds.

Additionally, Iowa Clean Air Attainment Program (ICAAP) funds were awarded by the Iowa DOT to CyRide in January for three transit projects. **These three projects need to be added to the current TIP** so CyRide can promptly access the awarded funds:

- **#11 Cherry Night Service (Year 3)** - \$31,609 in CMAQ funding
- **#12 Lilac Midday Service (Year 3)** - \$29,830 in CMAQ funding
- **#6 Brown Night Service (Year 3)** - \$28,258 in CMAQ funding

The requirements to process amendments to the TIP call for an opportunity for public review and comment as well as approval by both the Technical and Policy Committees of the Ames Area MPO. **The Technical Committee reviewed this proposed amendment on March 10, 2022, and unanimously recommended approval.** The public input period will be available from March 23, 2022, to April 30, 2022. After the public input period, this item will go before the Policy Committee again for the public hearing and final approval on May 24, 2022.

**ALTERNATIVES:**

1. Review the amendment to the FFY 2022-2025 Transportation Improvement Program and set May 24, 2022, as the date for the public hearing.
2. Review and modify the amendment.

**ADMINISTRATOR'S RECOMMENDATION:**

The Transportation Technical Committee has reviewed the proposed amendment to the FFY 2022-2025 TIP and unanimously recommended approval. The requested project modifications by the City of Ames will allow the Ames Area MPO to better utilize its accruing TAP funding for trail projects. Additionally, adding CyRide's ICAAP projects will allow them to access their awarded funds.

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

To: Kyle Thompson, AAMPO  
From: Mark Gansen, Civil Engineer II, Public Works - Traffic  
Date: February 28, 2022

**SUBJECT:** Proposed Amendments to loway Creek Shared Use Path, TPMS ID# 19249 & Skunk River Trail Shared Use Path, TPMS ID#14983

**UPDATE:**

Through coordination with other City of Ames projects, it has been determined that the project limits of the loway Creek Shared Use Path project need to be modified due to delays in property acquisition. Here's information on the location change:

- Old Location: In the city of Ames, loway Creek: From Skunk River to S. 5<sup>th</sup> St
- New Location: In the City of Ames, loway Creek: From 0.5 Miles east of S. Duff Avenue to S. 5<sup>th</sup> Street

Through this same coordination it has also been determined that the Skunk River Trail Shared Use Path needs to be removed and reprogrammed at a later date due to the lack of property acquisition and other potential uses of the property.

Through preliminary design of the loway Creek project we've also created a preliminary OPC and would like to request additional TAP funding. Here's information on funding items:

- Local Funding: \$521,800
- Original MPO Funding: \$159,000
- 7-13-21 Amended TIP MPO Funding: \$400,000
- Proposed MPO Funding: \$560,000
- Most recent OPC: \$878,520.50

Also attached is a map for reference for the location change. Please let me know if you need any additional information. Thank you.

# loway Creek Trail Project (Proposed New Project Limits)



**AMES AREA METROPOLITAN PLANNING ORGANIZATION  
TRANSPORTATION POLICY COMMITTEE**

**SUBJECT: DRAFT FY 2023 TRANSPORTATION PLANNING WORK PROGRAM**

**BACKGROUND:**

The Ames Area MPO carries out a continuing, cooperative, and comprehensive multimodal transportation planning process. As a part of the Federal regulations governing Metropolitan Planning Organizations, the Federal Highway Administration and the Federal Transit Administration provide planning funds to reimburse agencies for transportation planning activities. Transportation planning activities are outlined in a unified transportation planning work program which the Ames Area MPO develops annually for each fiscal year. The State of Iowa uses a Consolidated Planning Grant where FHWA and FTA planning funds are combined into a single fund.

In addition to conducting and coordinating short-term and long-term regional transportation planning efforts, the MPO is responsible for the development of the following planning documents: Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), Public Participation Plan (PPP), Transportation Planning Work Program (TPWP), and Passenger Transportation Plan (PTP). To plan for and organize these planning efforts, the FY 2023 TPWP has been separated into seven different work elements. These elements are:

1. Administration
2. Transportation Improvement Program (TIP)
3. Transit Planning
4. Comprehensive Planning
5. Long-Range Transportation Planning
6. Transportation Data
  - a. Data Management
  - b. Data Procurement
7. Special Studies
  - a. US 69 (S Duff Ave) & US 30 Interchange Study
  - b. Ames North Growth Intersections (190<sup>th</sup> St Corridor) Study

On February 9, 2022, the Iowa Department of Transportation provided funding targets for the MPO to use in the development of the FY 2023 TPWP. Those targets are shown in the following table.



**Ames Area MPO Planning Funding Targets**

Funding Source	Amount
FTA 5305d Carryover	\$32,098
FHWA PL Carryover	\$199,737
New FTA 5305d (Draft)	\$44,866
New FHWA PL (Final)	\$124,627

The currently proposed FY 2023 MPO budget totals \$448,000 (\$358,400 in Federal funds and \$89,600 in local funds). This budget, shown in detail below, fully utilizes all anticipated carryover amounts and has \$42,928 in unobligated funds that can be programmed in future fiscal years as carryover.

Work Element	Activity	MPO Staff Hours	Federal Funding Source				Total Federal Funding	Local Match	Total Funding
			FTA 5305d Carryover	FTA 5305d New	FHWA PL Carryover	FHWA PL New			
1 - Administration	Admin	785	\$3,582	-	\$22,292	\$14,126	\$40,000	\$10,000	\$50,000
2 - TIP	TIP	196	\$716	-	\$4,458	\$2,825	\$8,000	\$2,000	\$10,000
3 - Transit Planning	Transit Planning	765	\$3,582	\$14,126	\$22,292	-	\$40,000	\$10,000	\$50,000
4 - Comprehensive Planning	Comp Planning	491	\$1,791	-	\$11,146	\$7,063	\$20,000	\$5,000	\$25,000
5 - Long Range Planning	Long-Range Planning	196	\$716	-	\$4,458	\$2,825	\$8,000	\$2,000	\$10,000
6 - Transportation Data	Data Management	196	\$716	-	\$4,458	\$2,825	\$8,000	\$2,000	\$10,000
	Data Procurement	-	\$7,093	-	\$44,138	\$27,969	\$79,200	\$19,800	\$99,000
7 - Special Studies	US 69 & US 30 Interchange Study	39	\$9,099	-	\$56,622	\$35,879	\$101,600	\$25,400	\$127,000
	Ames North Growth Intersections Study	39	\$4,800	-	\$29,871	\$18,928	\$53,600	\$13,400	\$67,000
<b>FY23 Budget Totals</b>		<b>2,707</b>	<b>\$32,098</b>	<b>\$14,126</b>	<b>\$199,737</b>	<b>\$112,439</b>	<b>\$358,400</b>	<b>\$89,600</b>	<b>\$448,000</b>

	FTA 5305d Carryover	FTA 5305d New	FHWA PL Carryover	FHWA PL New	TOTAL
Starting Available Federal Balance	\$ 32,098	\$ 44,866	\$199,737	\$124,627	\$ 401,328
Programmed	\$ 32,098	\$ 14,126	\$199,737	\$112,439	\$ 358,400
<b>Unobligated Federal Funds</b>	<b>\$ -</b>	<b>\$ 30,740</b>	<b>\$ -</b>	<b>\$ 12,188</b>	<b>\$ 42,928</b>

The FY 2023 Transportation Planning Work Program will be effective from July 1, 2022, through June 30, 2023. All MPO planning activities and processes conducted during this time must conform with the work program.

The next step will be a public input period from March 23, 2022, to April 30, 2022 (including a public input session on March 24, 2022, being held via Microsoft Teams). Additionally, federal and state partners will be reviewing the draft document, which is due by April 1, 2022.

**ALTERNATIVES:**

1. Approve the Draft FY 2023 Transportation Planning Work Program and set May 24, 2022, as the date of public hearing.
2. Modify the Draft FY 2023 Transportation Planning Work Program and set May 24, 2022, as the date of public hearing.

**ADMINISTRATOR'S RECOMMENDATION:**

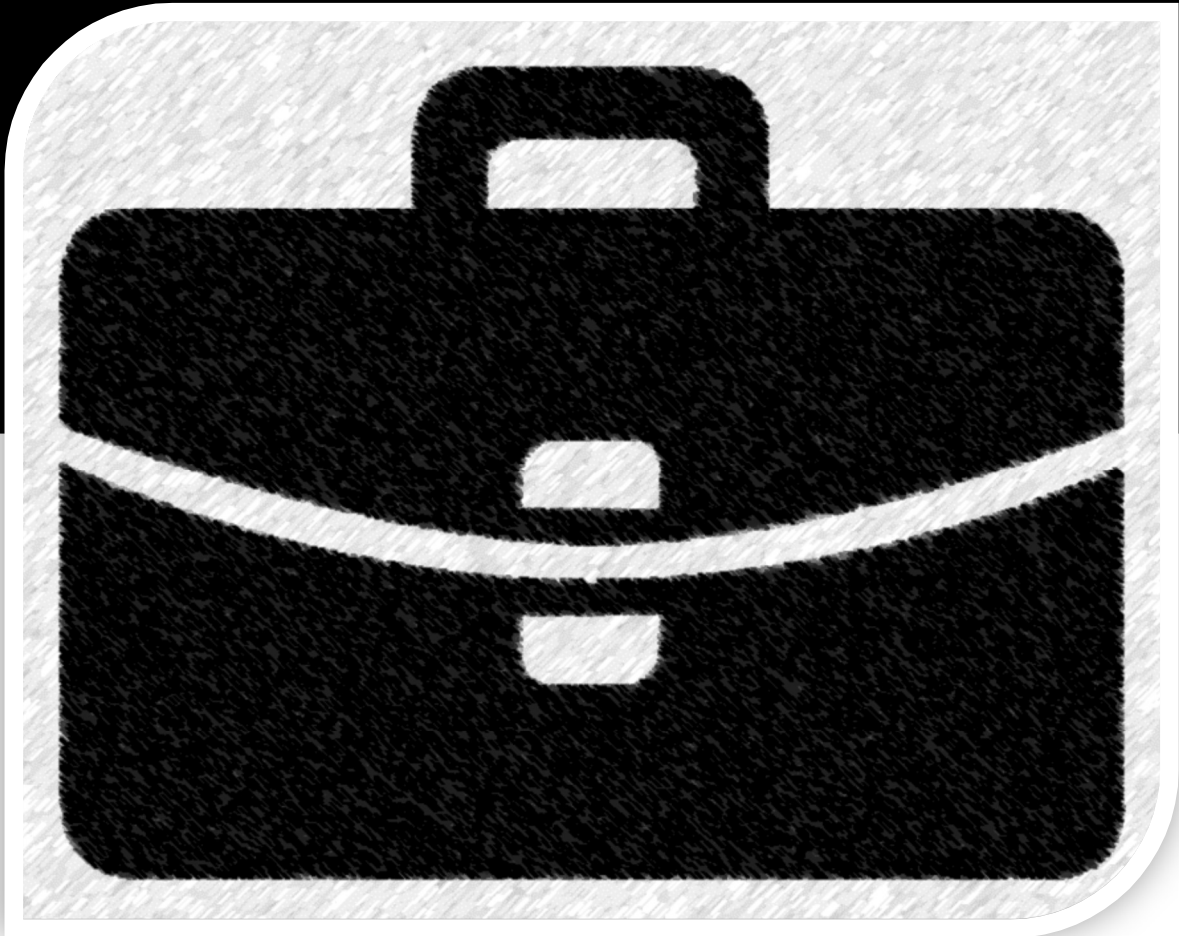
The Transportation Technical Committee has reviewed the Draft FY 2023 Transportation Planning Work Program and unanimously recommends approval.

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

**DRAFT**

# Transportation Planning Work Program

**Fiscal Year 2023**



# AAAMPO

**AMES AREA METROPOLITAN PLANNING ORGANIZATION**

AMES | GILBERT | STORY | BOONE

The Ames Area Metropolitan Planning Organization prepared this report with funding from the U.S. Department of Transportation's Federal Highway Administration and Federal Transit Administration, and in part through local matching funds of the Ames Area MPO member governments. These contents are the responsibility of the Ames Area MPO. The U.S. government and its agencies assume no liability for the contents of this report or for the use of its contents. The Ames Area MPO approved this document on May 24, 2022. Please call (515) 239-5160 to obtain permission to use.

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# 1 - Introduction

## 1.1 Document Purpose

The Fiscal Year 2023 Transportation Planning Work Program (TPWP) is the regional work plan developed by the Ames Area Metropolitan Planning Organization (AAMPO) for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The TPWP is a requirement of 23 CFR 450.308(b) for metropolitan planning organizations to develop a document identifying work proposed for the next one-year period by major activity and task. The document includes details to indicate who will perform the planning activity, the schedule for completing the activity, what products should result from each activity, funding for each activity as well as a total program budget.

## 1.2 AAMPO Overview and Planning Area

AAMPO was officially designated the MPO of the Ames urbanized area by the Governor of Iowa in March 2003. This designation was the result of the Ames urbanized area having a population greater than 50,000 in the 2000 Census.

As a result of the 2010 Census, the urbanized areas of Ames and Gilbert were combined into one urbanized area, therefore requiring the Metropolitan Planning Area to be expanded to encompass this area in its entirety. The Ames Area MPO approved the current Metropolitan Planning Area boundary on November 13, 2012 (shown in **Figure 1**). The City of Gilbert and Iowa State University were added to the Transportation Policy Committee on March 26, 2013.

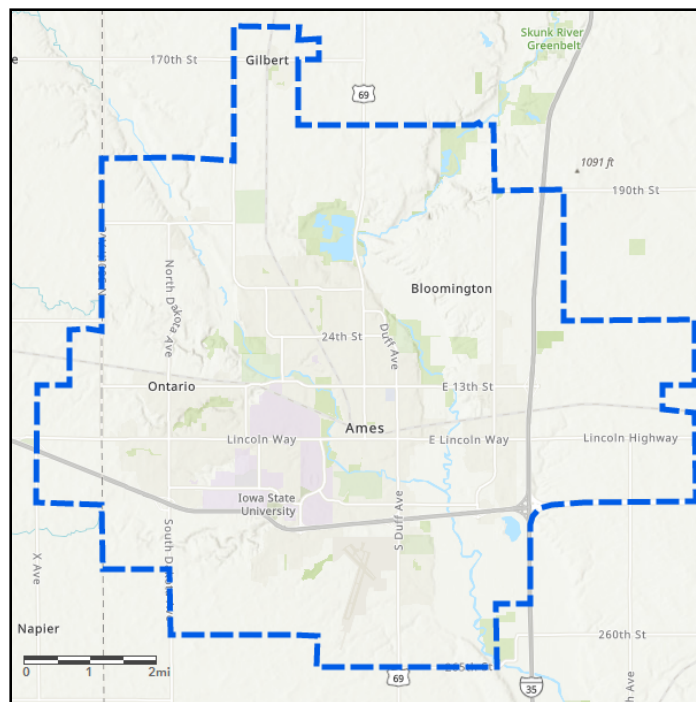


Figure 1: AAMPO Boundary (Adopted Nov 13, 2012)

The Ames Area MPO provides and coordinates various transportation planning and improvement efforts throughout the Ames urban area.

Ames is in central Iowa and is served by Interstate 35, US Highway 30, and US Highway 69. Surface transportation needs are met through over 251 centerline miles of streets. The community has a very progressive transit system, CyRide, which prior to the COVID-19 pandemic carried more than six million bus passengers each year. CyRide’s ridership dropped to 4.57 million passengers in FY 2020 and then 1.86 million in FY 2021 because of reduced travel within the Ames community. CyRide believes ridership levels will increase back to approximately 3.5 million passengers by the end of FY 2022. Since over 90% of CyRide’s ridership is university students, future transit ridership increases will heavily depend upon how many classes are held in-person on campus instead of virtually. While most transit users have Iowa State University ties, CyRide serves the entire Ames community. The Ames Area MPO area includes the Ames Municipal Airport, which serves general aviation needs for business, industry, and recreation users. On average, 145 aircraft operations occur per day at the Ames Municipal Airport. Railroads provide freight service to the area by dual east-west mainline tracks and a northern agricultural spur.

The Ames Area MPO consists primarily of two standing committees: The Transportation Policy Committee and the Transportation Technical Committee.

### 1.3 Transportation Policy Committee

The Transportation Policy Committee (TPC) is the policy setting board of the MPO and the membership consists of local officials. Voting membership on the committee includes city and county governments located, wholly or partially, in the Ames Area MPO planning boundary, as well as the local transit agency. Currently the TPC membership includes the City of Ames, City of Gilbert, CyRide, Boone County, and Story County. The Iowa Department of Transportation, Federal Highway Administration, Federal Transit Administration, and Iowa State University serve as advisory, non-voting, representatives.

<b>Transportation Policy Committee Membership</b>		
<b><i>Representative Agency</i></b>	<b><i>Member</i></b>	<b><i>Representative Agency Role</i></b>
<b>City of Ames (Chair)</b>	John Haila	Mayor
<b>City of Ames</b>	Bronwyn Beatty-Hansen	Council Member
<b>City of Ames</b>	Gloria Betcher	Council Member
<b>City of Ames</b>	Amber Corrieri	Council Member
<b>City of Ames</b>	Tim Gartin	Council Member
<b>City of Ames</b>	Anita Rollins	Council Member
<b>City of Ames</b>	Rachel Junck	Council Member
<b>Boone County</b>	Bill Zinnel	Board of Supervisors
<b>Story County</b>	Linda Murken	Board of Supervisors
<b>Ames Transit Agency (CyRide)</b>	Jacob Ludwig	CyRide Board Member
<b>City of Gilbert</b>	Jonathan Popp	Mayor
<b>Iowa Dept. of Transportation ‡</b>	Andy Loonan	District 1 Transportation Planner
<b>Iowa Dept. of Transportation ‡</b>	Zac Bitting	Metropolitan and Regional Planning Coordinator
<b>Iowa Dept. of Transportation ‡</b>	Cindy Shearer	Statewide Planning Support
<b>Federal Highway Administration ‡</b>	Darla Hugaboom	Iowa Division Community Planner

<b>Federal Highway Administration ‡</b>	Sean Litteral	Planning and Development Team Leader
<b>Federal Transit Administration ‡</b>	Eva Steinman	Region 7 Community Planner
<b>Iowa State University ‡</b>	Brandi Latterell	Director for Planning Services

‡ Non-voting

## 1.4 Transportation Technical Committee

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

<b>Transportation Technical Committee Membership</b>		
<b><i>Representative Agency</i></b>	<b><i>Member</i></b>	<b><i>Representative Agency Role</i></b>
<b>City of Ames (Chair)</b>	Damion Pregitzer	Traffic Engineer
<b>City of Ames (Vice-Chair)</b>	Justin Moore	Planner
<b>City of Ames</b>	Justin Clausen	Operations Manager
<b>City of Ames</b>	Kelly Diekmann	Director of Planning & Housing
<b>City of Ames</b>	Tracy Peterson	Municipal Engineer
<b>Ames Transit Agency (CyRide)</b>	Barb Neal	Transit Director
<b>Iowa State University</b>	Sarah Lawrence	Campus Planner
<b>Boone County</b>	Scott Kruse	County Engineer
<b>Story County</b>	Darren Moon	County Engineer
<b>Ames Community School Dist.</b>	Gerry Peters	Facilities Director
<b>Ames Economic Development Commission</b>	Dan Culhane	President & Chief Executive Officer
<b>Iowa Dept. of Transportation ‡</b>	Andy Loonan	District 1 Transportation Planner
<b>Iowa Dept. of Transportation ‡</b>	Zac Biting	Metropolitan and Regional Planning Coordinator
<b>Iowa Dept. of Transportation ‡</b>	Cindy Shearer	Statewide Planning Support
<b>Federal Highway Administration ‡</b>	Darla Hugaboom	Iowa Division Community Planner
<b>Federal Highway Administration ‡</b>	Sean Litteral	Planning and Development Team Leader
<b>Federal Transit Administration ‡</b>	Eva Steinman	Region 7 Community Planner

‡ Non-voting

## 1.5 Planning Documents Maintained by AAMPO

The Ames Area MPO develops, updates, and maintains the following core planning documents:

- Transportation Planning Work Program (TPWP)
- Transportation Improvement Program (TIP)
- Public Participation Plan (PPP)
- Metropolitan Transportation Plan (MTP)
- Passenger Transportation Plan (PTP)



## 2 – TPWP Development

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### 2.1 TPWP Development Process

The FY 2023 Transportation Planning Work Program was developed from input by AAMPO staff, the AAMPO Transportation Technical Committee, the public, and the AAMPO Transportation Policy Committee. The following milestones describe the process in which the Transportation Planning Work Program was developed.

#### ***February 1, 2022 – March 9, 2022 – Initial Draft Development***

AAMPO staff developed the initial Draft FY23 TPWP.

#### ***March 10, 2022 – Transportation Technical Committee Meeting***

A review and discussion on the Draft FY23 TPWP was undergone by the Transportation Technical Committee.

#### ***March 22, 2022 – Transportation Policy Committee Meeting***

A review and discussion on the Draft FY23 TPWP was undergone by the Transportation Policy Committee and the date of public hearing was set for May 24, 2022.

#### ***March 23, 2022 – April 30, 2022 – Public Input Period***

A public comment period for the Draft FY23 TPWP was established from March 23 through April 30, 2022. During the comment period, the draft document was posted on the MPO website, [aampo.org](http://aampo.org), and notifications were distributed to the public. Comments could be submitted via online form, email, mail, and by phone. A public input session was also held virtually via Microsoft Teams on March 24, 2022.

#### ***April 1, 2022 – April 30, 2022 – Review by Federal and State Partners***

Federal and State partners at the Federal Highway Administration, Federal Transit Administration, and Iowa Department of Transportation reviewed the Draft FY23 TPWP. By April 30, 2022, the MPO received comments to address in the Final FY23 TPWP.

#### ***May 1, 2022 – May 23, 2022 – Final TPWP Development***

AAMPO staff created the Final FY23 TPWP based upon feedback from the public, state and federal partners, and members of the AAMPO Technical and Policy Committees.

#### ***May 24, 2022 – Transportation Policy Committee Hearing***

A public hearing was held by the Transportation Policy Committee to consider adoption of the FY23 TPWP with opportunities from the public to respond and present to the committee. This document was then formally approved by the Transportation Policy Committee.

## 2.2 Planning Priorities

The FY 2023 TPWP addresses the planning goals of the Ames Area MPO, which are:

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

The following is a list of ongoing and future challenges the Ames Area MPO expects to address through projects and planning activities:

- The Ames regional area experiences a high variability in traffic due to weekly commuters, regional commercial weekend traffic, and special events (such as Iowa State football games). AAMPO will leverage emerging technologies as well as automated data collection to generate regional metrics for a performance-based planning approach and assist local agencies in improving traffic operations.
- The COVID-19 Pandemic may catalyze long-term fundamental changes in travel behaviors across all modes of transportation. AAMPO will utilize emerging data sources and data types to monitor these potential shifts in travel behaviors as well as stay current on the latest research and reporting of travel behavioral trends.
- Some intersections and corridors within Ames are nearing operational capacities and struggle to handle currently observed levels of traffic and users. Through emerging technologies such as adaptive traffic signal control, transit signal priority, widescale data collection, and new ITS communication technologies, AAMPO will ensure projects are planned and executed which attempt to leverage new technologies to maximize operational capabilities and improve intersection and roadway capacities across all modes of travel.

## 2.3 Performance-Based Planning

Performance-based planning and performance management became a focus for State and regional transportation planning with the signing of the 2012 Federal surface transportation bill Moving Ahead for Progress in the 21st Century (MAP-21). The Federal government established seven national goals through MAP-21, and maintained these goals in subsequent Federal legislation, with the purpose of improving decision-making through performance-based planning and programming. Those seven goals are:

- Safety
- Infrastructure Condition
- Congestion Reduction
- System Reliability
- Freight Movement and Economic Vitality
- Environmental Sustainability
- Project Delivery

The Ames Area MPO must establish and use a performance-based approach in transportation decision making to support the national goals. The Ames Area MPO implements these required metrics in coordination with the Iowa DOT (see **Appendix C** for the Performance Management Agreement), which includes setting regional targets for several performance measures established by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). Future reports on the Ames Area MPO's progress in reaching regional targets will be included in future metropolitan transportation planning documents. A discussion is shown here for each of the performance areas.

### Road Safety

The safety measures are:

- Number of Fatalities
- Rate of Fatalities per 100 million VMT
- Number of Serious Injuries
- Rate of Serious Injuries per 100 million VMT
- Number of Non-Motorized Fatalities and Non-motorized Serious Injuries

In October 2021, the Ames Area MPO adopted to support the targets of the Iowa Department of Transportation.

## **Transit Safety**

As a recipient of urbanized area formula grant funding, the Ames Transit Agency (CyRide) established its initial agency safety plan on October 28, 2020, where safety performance targets were established within this plan based on the following safety performance measures FTA established in the National Public Transportation Safety Plan including:

- Fatalities
- Injuries
- Safety Events
- System Reliability

CyRide's Safety Plan, which will be certified each year, includes processes and procedures to implement Safety Management Systems (SMS) at CyRide to anticipate future risks and detect problems before safety issues occur. This plan includes strategies for minimizing the exposure of the public, personnel, and property to unsafe conditions and again include safety performance targets. SMS will support a data-based framework to identify and analyze safety hazards and risks to prioritize resources towards the mitigation of these issues.

In October 2021, the Ames Area MPO adopted to support the targets set in CyRide's Safety Plan. The plan will be updated annually by October and if targets are revised, those will be submitted to the Ames Area MPO.

## **Pavement and Bridge**

The pavement and bridge measures are:

- Percent of Interstate pavements in Good condition
- Percent of Interstate pavements in Poor condition
- Percent of non-Interstate NHS pavements in Good Condition
- Percent of non-Interstate NHS pavements in Poor condition
- Percent of NHS bridges classified as in Good condition
- Percent of NHS bridges classified as in Poor condition

In March 2021, the Ames Area MPO adopted to support the targets of the Iowa Department of Transportation.

### **Transit Asset Management**

The Transit Asset Management (TAM) targets are:

- Equipment: Percent of non-revenue vehicles met or exceeded Useful Life Benchmark
- Rolling Stock: Percentage of revenue vehicles met or exceeded Useful Life Benchmark
- Facilities: Percentage of assets with condition rating below 3.0 on FTA TERM scale
- Infrastructure: Not applicable. (The infrastructure performance measure element, which FTA requires, is limited to rail fixed guideway assets. There is no fixed guideway passenger transport in the Ames region.)

CyRide established their first TAM plan and targets in January 2017. Every year, the TAM Plan and targets are updated by CyRide in the fall. The last update for CyRide's TAM Plan was September 2021 and intends to update its TAM Plan again in September 2022. If targets are modified, CyRide shares those updated targets with the AAMPO. Per FTA regulations, AAMPO is not obligated to update their TAM targets whenever transit agencies update their targets.

In October 2021, the Ames Area MPO adopted CyRide's latest TAM targets.

### **System and Freight Reliability**

The system performance and freight measures are:

- Percent of person-miles traveled on the Interstate that are reliable
- Percent of person-miles traveled on the non-Interstate NHS that are reliable
- Truck Travel Time Reliability Index

In March 2021, the Ames Area MPO adopted to support the targets of the Iowa Department of Transportation.

### 3 – Work Elements

This section will describe each of the seven planning work planning elements that AAMPO will undergo in Fiscal Year 2023: administration, transportation improvement program, transit planning, comprehensive planning, long-range transportation planning, transportation data, and special studies.

#### 3.1 Regional & Federal Planning Goals

**Table 1** describes how each of the work elements relate to accomplishing regional transportation planning goals/priorities (listed in the AAMPO’s MTP, “[Forward 45](#)”) and the federal planning factors that should guide the planning processes conducted by MPOs.

*Table 1: Relation of Work Elements and Regional Goals/Planning Factors*

		<b>Elem. 1 Admin</b>	<b>Elem. 2 TIP</b>	<b>Elem. 3 Comp Planning</b>	<b>Elem. 4 Transit</b>	<b>Elem. 5 Long- Range Planning</b>	<b>Elem. 6 Data</b>	<b>Elem. 7 Special Studies</b>
Regional Goals	Accessibility	X	X	X	X	X		X
	Safety		X	X	X	X		X
	Sustainability		X	X	X	X		X
	Efficiency & Reliability		X	X	X	X	X	X
	Placemaking	X	X		X	X	X	X
	Preservation		X		X	X		X
Planning Factors	Economic Vitality		X	X		X		X
	Safety		X	X	X	X	X	X
	Security		X		X	X	X	
	Accessibility & Mobility		X	X	X	X		X
	Protect & Enhance the Environment and Promote Conservation	X	X	X	X	X		X
	Integration & Connectivity	X	X	X	X	X		X
	Efficiency		X	X	X	X	X	X
	Preservation		X		X	X		X
	Improve Resiliency & Reliability		X	X	X	X	X	X
	Enhance Travel & Tourism	X	X	X	X	X		X

### 3.2 Planning Emphasis Areas

On December 30, 2021, the FHWA and FTA released [updated 2021 planning emphasis areas](#) (PEAs) for use in the development of metropolitan and statewide planning and research programs. The following details how the Ames Area MPO addresses some of these PEAs through its various planning activities and planning document updates (including the TPWP).

**Climate** – The Ames Area MPO will provide support, as needed, to the City of Ames in the ongoing development of its Climate Action Plan, which will be a framework and plan that outlines the guiding principles and actions needed to reduce greenhouse gas emissions in Ames. This is identified in Work Element 3 (Comprehensive Planning). Work Element 4 (Transit Planning) also includes the development of CyRide’s Climate Action Plan. The Ames Area MPO will also continue to consider climate impacts (positive and negative) when identifying, prioritizing, and evaluating projects in the TIP and the MTP.

**Equity & Justice** – The Ames Area MPO develops and maintains a Public Participation Plan (PPP) and a Limited English Proficiency (LEP) Plan. These plans aim to ensure ample public involvement opportunities for underserved and disadvantaged populations. Additionally, the Ames Area MPO submits Title VI documentation to both the FHWA and FTA, which ensure that the MPO is adhering to applicable Title VI requirements. Title VI prohibits discrimination based on race, color, or national origin in any program or activity that receives federal funding. These documents are all developed as a part of Work Element 1 (Administration). Additionally, impacts to underserved and disadvantaged populations are considered when identifying, prioritizing, and evaluating projects in the TIP and the MTP.

**Complete Streets** – The Ames Area MPO previously supported the City of Ames in the development of its [Complete Streets Plan](#) in 2018. The latest MTP refers to the Ames Complete Streets Plan and leverages its policies and principles when evaluating the regionwide transportation network and developing and prioritizing projects.

**Public Involvement** – As previously mentioned, the Ames Area MPO develops and maintains a Public Participation Plan. This plan details how the MPO involves the public and stakeholders in its transportation planning efforts.

**Planning & Environmental Linkages (PEL)** – During MTP updates, the Ames Area MPO always considers environmental, community, and economic goals early in the transportation planning process. These regional goals (which were shown before in **Table 1**) form the foundation of the MTP and its strategy development and project prioritization processes.

**Data in Transportation Planning** – The Ames Area MPO is actively incorporating data in its planning processes and shares its data with its member agencies and stakeholders. Work Element 6 (Transportation Data) is dedicated to obtaining and leveraging transportation datasets and utilizing data analytics to strengthen performance-based planning efforts in the region.

## Element 1 - Administration

**Objective:** To initiate and properly manage the “3-C” planning process, ensuring that it is continuous, cooperative, and comprehensive, and in compliance with applicable State and Federal laws and regulations.

### Primary FY 2022 Accomplishments:

- Administered the FY 2022 TPWP
- Developed and approved the FY 2023 TPWP
- Developed and approved the 2021 update to the Public Participation Plan
- Developed and approved the 2021 update to the Limited English Proficiency Plan
- Developed and approved the 2021 update to the FTA Title VI Program
- Conducted Transportation Policy Committee and Transportation Technical Committee meetings
- Attended Iowa DOT quarterly MPO meetings
- Submitted quarterly planning funding reimbursement requests and semi-annual DBE reports
- Updated and maintained the AAMPO website: [www.aampo.org](http://www.aampo.org)
- Participated in meetings and coordinated with other agencies

Note, all activities from FY 2022 were completed for this task.

### Description:

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

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

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

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



**FY 2023 Products:**

- Administer the FY 2023 TPWP
- Develop and approve the FY 2024 TPWP
- Carry out required annual certifications
- Maintain records and files and update and maintain the AAMPO website
- Complete reports, surveys, and other materials requested by Federal, State, or other governmental agencies
- Administer meetings for the Transportation Policy Committee and Transportation Technical Committee
- Participate in regional and state-wide coordination meetings related to transportation planning
- Participate in conferences, trainings, and meetings pertinent to transportation planning hosted by Federal, State, professional organizations, or other appropriate organizations and agencies.
- Market and perform outreach for MPO planning activities
- Review Public Participation Plan (PPP) and Title VI documentation and update as needed
- Purchase/lease supplies and equipment as well as maintain sufficient software and upgrades that are beneficial to AAMPO planning efforts

**FY 2023 Schedule:**

- Activities for this work element will be ongoing throughout the fiscal year unless noted below.
- The FY 2024 TPWP will be developed and approved in late winter/spring 2023.

**FY 2023 Hours/Budget:**

- Total Budget: \$50,000 (Federal - \$40,000)
- MPO Staff Hours: 785

## Element 2 – Transportation Improvement Program

**Objective:** Develop and maintain a regional program of near-term projects that are consistent with the current Ames Area MPO Metropolitan Transportation Plan, “Forward 45”.

### Primary FY 2021 Accomplishments:

- Approved and administered the FFY 2022-25 TIP
- Amended the FFY 2022-25 TIP
- Developed the FFY 2023-26 TIP
- Solicited, gathered, and evaluated applications for regional STBG & STBG-TAP funding
- Performed and managed regional project programming through the TPMS system

Note, all activities from FY 2022 were completed for this task.

### Description:

The Ames Area MPO is responsible for developing the funding program of transportation projects which use Federal funds, utilize STBG-SWAP funds, or are regionally significant. The MPO carries out a process for soliciting regional projects for the Surface Transportation Block Grant (STBG) and Transportation Alternatives program (STBG-TAP). The MPO also reviews regional projects seeking Iowa Clean Air Attainment Program (ICAAP) funds.

Projects which are awarded Federal funding, or are regionally significant, are included in the Transportation Improvement Program (TIP). The TIP is developed in coordination with local governments, the State of Iowa, and transit operators. Consistent with the Public Participation Plan, opportunities for public review and comments will be provided for all Transportation Policy Committee actions on the TIP. Coordination with the Iowa DOT Statewide Transportation Improvement Program (STIP) will also be undertaken.

### FY 2023 Products:

- Approve and administer the FFY 2023-26 TIP
- Amend and modify the FFY 2023-26 TIP as needed
- Develop the FFY 2024-27 TIP
- Solicit, gather, and evaluate applications for regional STBG & STBG-TAP funding
- Perform and manage regional project programming through the TPMS system

### FY 2023 Schedule:

- Activities for this work element will be ongoing throughout the fiscal year unless noted below.
- The FFY 2023-26 TIP will be approved in July 2022 and the FFY 2024-27 TIP will be developed in late spring/early summer 2023.
- Regional STBG & STBG-TAP funding applications for FFY 2024-27 will be solicited, gathered, and evaluated in late winter/spring of 2023.

**FY 2023 Hours/Budget:**

- Total Budget: \$10,000 (Federal - \$8,000)
- MPO Staff Hours: 196

## Element 3 – Transit Planning

**Objective:** Enhance a coordinated, accessible, and efficient transit system.

**Primary FY 2022 Accomplishments:**

- Human service/transportation provider coordination meetings and plan updates
- Coordinated planning and meetings with human service organizations
- Safety Plan Development & Certification
- Equal Employment Opportunity (EEO) Program Monitoring
- Disadvantage Business Enterprise (DBE) Goals Development and semi-annual reports
- Transit Service Planning (i.e. route planning, battery electric bus project planning)
- Transit Management Analysis Planning (i.e. transit policies during COVID-19)
- Capital Planning
- Metropolitan (Long Range) Transportation Plan Development (transit side)
- Transit Asset Management (TAM) Plan (performance measures, annual National Transit Database narrative & performance targets updates)
- Title VI Program Monitoring
- Bus Stop Planning & ADA Planning (i.e. bus shelters, automatic annunciators)
- Triennial Review Virtual Development & Submission

Note, all activities from FY 2022 were completed for this task.

**Description:**

Planning efforts will reflect prioritization of the following areas:

- Transit Agency Safety Plan annual updates
- Transit Asset Management Plan, performance measures, annual narrative & performance target updates on an annual basis.
- Transportation Planning Work Program Development
- Transportation Improvement Program Development
- ADA Planning updates (Automatic Annunciators, Infotainment and LED Signage, Dial-A-Ride Service Planning, Dial-A-Ride Surveys)
- Title VI Program and Limited English Proficiency (LEP) Plan updates; planning services/programs with out regard to race, color or national origin
- Equal Employment Opportunity Program update
- Disadvantaged Business Enterprise goals submission
- Federal compliance reviews regarding Federal Transit Administration regulations
- Transit Service Planning for updated route planning & ridership studies
- Transit Management Analysis for transit policy modifications
- Participation of transit in metropolitan and statewide planning

- Coordination with non-emergency human service transportation organizations to improve transportation service for the low-income, aging and disabled populations within Ames
- Make transit capital investment decisions through effective system planning
- Bus stop planning for future ADA improvements
- Technology planning (automatic vehicle annunciators (AVAs), automatic passenger counters (APCs), etc.) and data analysis
- Facility expansion analysis
- System Redesign recalibration efforts with possible federal funding and when to implement based on possible new normal of transit ridership levels.
- MOU update between CyRide and the Ames Area MPO
- Develop CyRide Climate Action Plan to reflect transit board desires

This item involves transit planning issues related to land use and development issues, facility expansion analysis, ridership surveys and analyses, plans to manage transit agency in accordance with the Federal Transit Administration guidelines, and the study of fixed route transit services. Meetings will be held to facilitate the locally developed coordinated public transit/human-services transportation plan to improve transportation services for the low-income, aging, and disabled populations within the community. Efforts will concentrate on improving operating efficiencies of current services and eliminating gaps where and when transportation is not available. The transportation planner may conduct various planning and ridership studies throughout the year to ensure compliance with federal regulations. The safety officer will also update the safety plan annually through a coordinated process with front line staff.

#### **FY 2023 Products:**

- Various transit plans as required, administration and audits of the following programs requiring annual certifications by the transit agency: Equal Employment Opportunity Program (EEO), Title VI Program, Limited English Proficiency (LEP), Disadvantaged Business Enterprise (DBE), Transit Asset Management Plan, CyRide Safety & Security Plan, Federal Audits/Reviews.
- Update 2020-2023 Ames Area MPO Passenger Transportation Plan (PTP) as needed; monthly coordination of transit with various human & health service organization groups
- Capital/Financial planning to analyze fleet, facility, and technology needs for five-year period.
- Transit Asset Management Plan Update, annual performance targets & narrative report to FTA
- Transit Service Planning for current/new services or ridership studies
- Transit Management Analysis of current/new policies
- Long-term facility expansion studies
- Bus stop amenities & technology planning
- Safety Plan review/update and performance measures
- Equal Employment Opportunity Program monitoring
- Disadvantages Business Enterprise Goals FFY2023-FFY2025
- Automatic Passenger Count Research Project Final Report
- MPO-CyRide MOU Update

- CyRide Climate Action Plan or short-term/long-term goals

**FY 2023 Schedule:**

- Activities for this work element will be ongoing throughout the fiscal year unless noted below.
- DBE Goals to the Federal Transit Administration by 8/1/2022
- Title VI Program Update and Limited English Proficiency Plan due to the Federal Transit Administration by 10/1/2022
- TAM Plan and performance targets due to AAMPO by 10/1/2022; TAM Plan narrative to FTA through NTD by 10/1/2022
- Passenger Transportation Plan minutes due to Iowa DOT by 7/1/2022
- Automatic Passenger Count Research Project Final Report due to FTA by 6/30/2023
- Safety Plan review/update complete in August then targets provided to AAMPO by 10/1/2022.
- MPO-CyRide MOU Update due in December/January 2023 prior to CyRide's next triennial review.
- CyRide Climate Action Plan due by April 2023

**FY 2023 Hours/Budget:**

- Total Budget: \$50,000 (Federal - \$40,000)
- MPO Staff Hours: 765

## Element 4 – Comprehensive Planning

**Objective:** Integrate transportation planning and land-use planning for Ames Area MPO member jurisdictions.

### Primary FY 2022 Accomplishments:

- Provided technical assistance and support to local agencies for various transportation studies and projects (including speed studies, traffic studies, etc.)
- Performed traffic modeling for various projects and studies
- Assessed and analyzed region-wide transportation data sets for general trends in volumes, vehicle speeds, origin-destination behavior, etc.
- Coordination with the City of Ames for implementing Phases 1 and 2 of their ITS Master Plan

Note, all activities from FY 2022 were completed for this work element. In FY 2023, activities related to the collection and analyzation of transportation data now fall under Work Element 6 (Transportation Data) under the “Data Management” work activity.

### Description:

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

### FY 2023 Products:

- Provide technical assistance to local agencies incorporating regional transportation goals and objectives into comprehensive, sub-area, capital improvement, and other local plans
- Perform traffic modeling (Microsimulation, Synchro, SIDRA, etc.) to support local studies and projects as needed
- Coordinate with the City of Ames on its ITS Phase 1-3 projects (and update Regional ITS Architecture document as needed).
- Coordination with the City of Ames in the development of their Climate Action Plan
- Coordination with the City of Ames in the development of their Bicycle-Pedestrian Master Plan
- Updates to Safe Routes to School maps as needed
- Analyze potential alternative funding sources

### FY 2023 Schedule:

- Activities for this work element will be ongoing throughout the fiscal year.

### FY 2023 Hours/Budget:

- Total Budget: \$25,000 (Federal - \$20,000)
- MPO Staff Hours: 491

## Element 5 – Long-Range Transportation Planning

**Objective:** Provide framework for long-term orderly and efficient growth of an integrated, multi-modal transportation network.

### Primary FY 2022 Accomplishments:

- Utilized the Regional Travel Demand Model for use in long-range planning and forecasting
- Ensured regional transportation efforts and projects conform with the 2045 Metropolitan Transportation Plan, “Forward 45”.

Note, all activities from FY 2022 were completed for this work element.

### Description:

The 2045 Metropolitan Transportation Plan (known as “Forward 45”) became effective on October 27, 2020. To support the activities of this Metropolitan Transportation Plan, AAMPO will continue to monitor and update the plan, as necessary. AAMPO will continue to ensure that ongoing planning efforts and regional transportation projects confer with the 2045 Metropolitan Transportation Plan. AAMPO staff will also continue to maintain and utilize the Travel Demand Model for long-range planning and forecasting.

### FY 2023 Products:

- Monitor and update the 2045 Metropolitan Transportation Plan (“Forward 45”) as needed and ensure that all regional transportation efforts and projects continue to conform with the regional planning goals and projects outlined in the Metropolitan Transportation Plan.
- Maintain and utilize the Travel Demand Model for use in long-range planning and forecasting.
- Prepare for the 2050 Metropolitan Transportation Plan update.

### FY 2023 Schedule:

- Activities for this work element will be ongoing throughout the fiscal year.

### FY 2023 Hours/Budget:

- Total Budget: \$10,000 (Federal - \$8,000)
- MPO Staff Hours: 196



## Element 6 – Transportation Data

**Objective:** Obtain and leverage transportation datasets and utilize data analytics to strengthen performance-based planning efforts in the region.

### Primary FY 2022 Accomplishments:

- Procured a subscription/contract with StreetLight Data, Inc. for a transportation data service platform which provides access to regionwide multi-modal (vehicle, truck, bicycle, pedestrian, transit, socioeconomic) transportation data sets as well as various analytical capabilities.
- Obtained access to the Strava Metro platform, which provides regionwide aggregated data using Strava user activity data (pedestrians, runners, and bicyclists).

Note, all activities from FY 2022 were completed for this work element (which previously was named “Data Services”). Note that any activities relating to the collection and analyzation of transportation data were previously reported under Work Element 4 (Comprehensive Planning).

### Description:

Rapidly emerging technologies have allowed for new forms and quantities of transportation data and new powerful analytical capabilities. The Ames Area MPO will explore and leverage these new transportation datasets and analytical capabilities to farther performance-based planning efforts for all modes of transportation throughout the region. The MPO will also continue to leverage more traditional data sources such as field sensors, travel surveys, and census data. In addition to using transportation data for its own planning efforts and planning document updates, the MPO will also seek to make its data available to its member agencies, members of the public, as well as other regional stakeholders.

### FY 2023 Products:

- Maintain and leverage existing subscriptions/contracts with transportation data and analytics service providers.
- Explore new potential transportation data and analytics sources and procure new services or devices as needed.
- Perform data collection as needed.
- Aid with the maintenance of member agency’s transportation datasets and assets as needed.
- Assess and analyze available region-wide datasets for any trends in vehicle speeds, travel times, origin-destination behavior, socioeconomic, multi-modal data, or vehicle volumes.
- Provide access to the MPO’s transportation data for member agencies, citizens, and other MPO stakeholders.

### FY 2023 Schedule:

- Activities for this work element will be ongoing throughout the fiscal year.

**FY 2023 Hours/Budget:**

- Total Budget: \$109,000 (Federal - \$87,200)
- MPO Staff Hours: 196

Data Management

This activity within the work element's budget is dedicated to the MPO staff time used for completing the various tasks described in this work element.

- Budget: \$10,000 (Federal - \$8,000)
- MPO Staff Hours: 196

Data Procurement Activity

This activity within the work element's budget is dedicated to the procurement of transportation datasets or sensors as well as data analytics platforms.

- Total Budget: \$99,000 (Federal - \$79,200)
- MPO Staff Hours: 0

## Element 7 – Special Studies

**Objective:** To further the region’s transportation planning goals and objectives, as defined in the MPO’s Metropolitan Transportation Plan, through special studies undertaken by MPO staff or consultants.

### Primary FY 2022 Accomplishments:

- N/A (This work element was not present in the FY22 TPWP. Additionally, this work element is not intended to be reoccurring.)

### Description:

The Ames Area MPO’s current Metropolitan Transportation Plan “Forward 45” identified several policy options, strategies, and studies that should be prioritized to augment the goals, priorities, and projects defined in the plan. Two of the studies identified were a study of S Duff Ave (US Highway 69) from S 16<sup>th</sup> St to Airport Road and a study of the 190<sup>th</sup> Street corridor from George Washington Carver Ave to US Highway 69.

### FY 2023 Products:

- Conduct and complete a study of S Duff Ave from S 16<sup>th</sup> St to Airport Rd, as identified and described in the current MTP.
- Conduct and complete a study of 190<sup>th</sup> St from George Washing Carver Ave to US Highway 69, as identified and described in the current MTP.

### FY 2023 Hours/Budget:

- Total Budget: \$194,000 (Federal - \$155,200)
- MPO Staff Hours: 78

#### S Duff Ave & US 30 Interchange Study (S 16<sup>th</sup> St – Airport Rd)

This portion of the work element’s budget is dedicated to the solicitation, selection, and payment of a consultant for the US Highway 69 and US Highway 30 Interchange Study.

- Budget: \$127,000 (Federal - \$101,600)
- MPO Staff Hours: 39

#### Ames North Growth Intersections Study

This portion of the work element’s budget is dedicated to the solicitation, selection, and payment of a consultant for the Ames North Growth Intersections (190<sup>th</sup> St Corridor) Study.

- Budget: \$67,000 (Federal - \$53,600)
- MPO Staff Hours: 39

## 4 – FY 2023 Budget Summary

### 4.1 Budget & Staff Hours Summary

**Table 2** shows a breakdown of the seven work elements including their budget totals, funding sources, and MPO staff hours by activity. **Table 3** shows a breakdown of the budgeted unobligated federal funds by funding source. AAMPO has budgeted a total of \$448,000 for FY 2023 across all work elements, \$358,400 of which will come from federal funding sources. There is a total of \$42,928 in budgeted unobligated federal funds. There are 2,707 staff hours budgeted for MPO staff. This budget conforms to the MPO/RPA Carryover Policy (**Appendix D**). Note that FHWA program funding is transferred to FTA and merged with FTA funds into a consolidated planning grant.

Table 2: Budget and Funding Source Summary

Work Element	Activity	MPO Staff Hours	Federal Funding Source				Total Federal Funding	Local Match	Total Funding
			FTA 5305d Carryover	FTA 5305d New	FHWA PL Carryover	FHWA PL New			
1 - Administration	Admin	785	\$3,582	-	\$22,292	\$14,126	\$40,000	\$10,000	\$50,000
2 - TIP	TIP	196	\$716	-	\$4,458	\$2,825	\$8,000	\$2,000	\$10,000
3 - Transit Planning	Transit Planning	765	\$3,582	\$14,126	\$22,292	-	\$40,000	\$10,000	\$50,000
4 - Comprehensive Planning	Comp Planning	491	\$1,791	-	\$11,146	\$7,063	\$20,000	\$5,000	\$25,000
5 - Long Range Planning	Long-Range Planning	196	\$716	-	\$4,458	\$2,825	\$8,000	\$2,000	\$10,000
6 - Transportation Data	Data Management	196	\$716	-	\$4,458	\$2,825	\$8,000	\$2,000	\$10,000
	Data Procurement	-	\$7,093	-	\$44,138	\$27,969	\$79,200	\$19,800	\$99,000
7 - Special Studies	US 69 & US 30 Interchange Study	39	\$9,099	-	\$56,622	\$35,879	\$101,600	\$25,400	\$127,000
	Ames North Growth Intersections Study	39	\$4,800	-	\$29,871	\$18,928	\$53,600	\$13,400	\$67,000
<b>FY23 Budget Totals</b>		<b>2,707</b>	<b>\$32,098</b>	<b>\$14,126</b>	<b>\$199,737</b>	<b>\$112,439</b>	<b>\$358,400</b>	<b>\$89,600</b>	<b>\$448,000</b>

Table 3: Unobligated Funds

	FTA 5305d Carryover	FTA 5305d New	FHWA PL Carryover	FHWA PL New	TOTAL
Starting Available Balance	\$ 32,098	\$ 44,866	\$199,737	\$124,627	\$ 401,328
Programmed	\$ 32,098	\$ 14,126	\$199,737	\$112,439	\$ 358,400
<b>Unobligated Funds</b>	<b>\$ -</b>	<b>\$ 30,740</b>	<b>\$ -</b>	<b>\$ 12,188</b>	<b>\$ 42,928</b>

#### **4.2 Cost Allocation Plan**

The City of Ames is the primary fiscal agent for AAMPO. The local match for salaries and other expenses is a part of the City of Ames Program Budget, adopted by the City of Ames City Council for all personnel and associated expenses. Costs billed will be for those specified. The main source of local-match funds will come from the City of Ames Road Use Tax allocation. New FY 2023 funds have been combined with the carryover amounts for expense allocations. Carryover funds will be used first before new allocations. The Ames Area MPO does not charge indirect costs.

#### **4.3 Private Sector Involvement**

A vendor will be selected in the procurement of a web-based transportation data and analytical platform as a part of the data procurement activity within Work Element 6 (Transportation Data). Additionally, consultants will be selected for each of the two studies identified in Work Element 7 (Special Studies).

AAMPO certifies that any procurement process and consultant selection will adhere to all applicable requirements (see **Appendix B**).

## 5 – Revisions to the Transportation Planning Work Program

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The work program is developed annually, however, it can be amended at any time throughout the life of the document. The following section outlines the process to be used to amend the work program.

### 5.1 Overview

2 CFR 200 describes the uniform administrative rules for Federal grants and cooperative agreements and subawards to State, local and Indian tribal governments. These requirements apply to metropolitan planning (PL) and State Planning and Research (SPR) grants. FTA has similar requirements documented in FTA Circular 5010.1D, which apply to FTA metropolitan planning grants. Iowa uses a Consolidated Planning Grant where FHWA and FTA planning funds are combined into a single fund managed through FTA's TrAMS system. The uses of these funds are documented in the work programs of the Iowa DOT, MPOs, and RPAs.

### 5.2 Waiver of Approvals

All work program changes require prior written Federal approval, unless waived by the awarding agency. [2 CFR § 200.308](#) outlines different types of revisions for budget and program plans, and this [FHWA memo on prior approvals](#) summarizes revisions that require prior Federal approval, as well as other miscellaneous actions and allowable costs that require prior Federal approval.

Types of TPWP revisions that require Federal approval include, but are not limited to, the following:

- Request for additional Federal funding.
- Transfers of funds between categories, projects, functions, or activities which exceed 10% of the total work program budget when the Federal share of the budget exceeds \$150,000.
- Revision of the scope or objectives of activities.
- Transferring substantive programmatic work to a third party (consultant).
- Capital expenditures, including the purchasing of equipment.
- Transfer of funds allotted for training allowances.

Types of revisions that require Iowa DOT approval include:

- Transfers of funds between categories, projects, functions, or activities which do not exceed 10% of the total work program budget, or when the Federal share of the budget is less than \$150,000.

Types of revisions that require MPO/RPA approval include:

- Revisions related to work that does not involve federal funding.

### 5.3 Revision and Approval Procedures

All revision requests from MPOs and RPAs should be submitted electronically to the Iowa DOT Systems Planning Bureau and the agency's Iowa DOT District Planner. If all necessary information is provided, the request will then be forwarded to the FHWA and FTA for review and any necessary approvals.

- Revision requests shall, at a minimum, include:
  - A resolution or meeting minutes showing the revision's approval.
  - Budget summary table with changes highlighted/noted.
  - Modified section(s) of the plan's work elements with changes highlighted/noted.

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

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

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

Notification by the approving agency will be in writing.

NOTE: All necessary TPWP approvals shall be in place prior to the commencement of activity, purchasing of equipment, or request for reimbursement. More specifically, regarding the procurement of equipment and services, there should be no notification of award, signed contract, placement of an order, or agreement with a contractor prior to receiving the necessary TPWP approvals.

## Appendix A – Resolution of Approval

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<Insert resolution of approval here.>



## **Appendix B – Self-Certification of Procurement and Consultation Selection Procedures**

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<Insert Self-Certification of Procurement and Consultation Selection Procedures here.>

## Appendix C – Performance Management Agreement

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On May 27, 2016, the final rule for statewide and metropolitan transportation planning was published, based on 2012's Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) Act and 2015's Fixing America's Transportation System (FAST) Act. As part of this final rule, [23 CFR § 450.314 \(h\)](#) was amended to state:

- (h)(1) The MPO(s), State(s), and the providers of public transportation shall jointly agree upon and develop specific written provisions for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO (see §450.306(d)), and the collection of data for the State asset management plan for the NHS for each of the following circumstances:
- (i) When one MPO serves an urbanized area;
  - (ii) When more than one MPO serves an urbanized area; and
  - (iii) When an urbanized area that has been designated as a TMA overlaps into an adjacent MPA serving an urbanized area that is not a TMA.
- (2) These provisions shall be documented either:
- (i) As part of the metropolitan planning agreements required under paragraphs (a), (e), and (g) of this section; or
  - (ii) Documented in some other means outside of the metropolitan planning agreements as determined cooperatively by the MPO(s), State(s), and providers of public transportation.

In 2017, the following three-pronged approach was cooperatively developed to address 23 CFR § 450.314 (h). This approach provides a regular opportunity to review and update coordination methods as performance management activities occur, which offers an adaptable framework as performance-based planning and programming evolves.

- Agreement between the Iowa DOT and MPOs on applicable provisions through documentation included in each MPO's TPWP.
- Agreement between the Iowa DOT and relevant public transit agencies on applicable provisions through documentation included in each public transit agency's consolidated funding application.
- Agreement between each MPO and relevant public transit agencies on applicable provisions through documentation included in the appropriate cooperative agreement(s) between the MPO and relevant public transit agencies.

Inclusion of the following language in an MPO's TPWP, and that TPWP's subsequent approval by Iowa DOT, constitutes agreement on these items.

The Iowa DOT and Ames Area MPO agree to the following provisions. The communication outlined in these provisions between the MPO and Iowa DOT will generally be through the metropolitan and regional planning coordinator in the Systems Planning Bureau.

### 1) Transportation performance data

- a. The Iowa DOT will provide MPOs with the statewide performance data used in developing statewide targets, and, when applicable, will also provide MPOs with subsets of the statewide data, based on their planning area boundaries.
- b. If MPOs choose to develop their own target for any measure, they will provide the Iowa DOT with any supplemental data they utilize in the target-setting process.

**2) Selection of performance targets**

- a. The Iowa DOT will develop draft statewide performance targets for FHWA measures in coordination with MPOs. Coordination may include in-person meetings, web meetings, conference calls, and/or email communication. MPOs shall be given an opportunity to provide comments on statewide targets and methodology before final statewide targets are adopted.
- b. If an MPO chooses to adopt their own target for any measure, they will develop draft MPO performance targets in coordination with the Iowa DOT. Coordination methods will be at the discretion of the MPO, but the Iowa DOT shall be provided an opportunity to provide comments on draft MPO performance targets and methodology prior to final approval.

**3) Reporting of performance targets**

- a. Iowa DOT performance targets will be reported to FHWA and FTA, as applicable. MPOs will be notified when Iowa DOT has reported final statewide targets.
- b. MPO performance targets will be reported to the Iowa DOT.
  - i. For each target, the MPO will provide the following information no later than 180 days after the date the Iowa DOT or relevant provider of public transportation establishes performance targets, or the date specified by federal code.
    1. A determination of whether the MPO is 1) agreeing to plan and program projects so that they contribute toward the accomplishment of the Iowa DOT or relevant provider of public transportation performance target, or 2) setting a quantifiable target for that performance measure for the MPO's planning area.
    2. If a quantifiable target is set for the MPO planning area, the MPO will provide any supplemental data used in determining any such target.
    3. Documentation of the MPO's target or support of the statewide or relevant public transportation provider target will be provided in the form of a resolution or meeting minutes.
- c. The Iowa DOT will include information outlined in [23 CFR § 450.216 \(f\)](#) in any statewide transportation plan amended or adopted after May 27, 2018, and information outlined in [23 CFR § 450.218 \(g\)](#) in any statewide transportation improvement program amended or adopted after May 27, 2018.
- d. MPOs will include information outlined in [23 CFR § 450.324 \(f\) \(3-4\)](#) in any metropolitan transportation plan amended or adopted after May 27, 2018, and information outlined in [23 CFR § 450.326 \(d\)](#) in any transportation improvement program amended or adopted after May 27, 2018.
- e. Reporting of targets and performance by the Iowa DOT and MPOs shall conform to [23 CFR § 490](#), [49 CFR § 625](#), and 49 CFR § 673.

**4) Reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO**

- a. The Iowa DOT will provide MPOs with the statewide performance data used in developing statewide targets, and, when applicable, will also provide MPOs with subsets of the statewide data, based on their planning area boundaries.

**5) The collection of data for the State asset management plans for the NHS**

- a. The Iowa DOT will be responsible for collecting bridge and pavement condition data for the State asset management plan for the NHS.

## Appendix D – MPO/RPA Carryover Policy

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### Background

Each year, federal planning funds from both the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) are combined into a new consolidated planning grant (CPG) under the FTA. This includes all federal transportation funds that are utilized by metropolitan planning organizations (MPOs) and regional planning affiliations (RPAs) in Iowa for planning, including FHWA metropolitan planning (PL), state planning and research (SPR), and surface transportation block grant (STBG) funds and FTA 5305d, 5305e, and 5311 funds. The FHWA funding sources are transferred to FTA for inclusion in the CPG, and once funds are part of an awarded CPG, they are unable to be deobligated for other purposes.

Carryover is defined as any unspent funding that has been targeted to the agency but is not included in the agency's current state fiscal year (SFY) budget. During the Transportation Planning Work Program (TPWP) development cycle, carryover 'targets' that show the current balances of carryover funding are provided to the agency along with targets for new federal funding. However, it should be noted that an agency does not have to wait for the next TPWP cycle to utilize carryover funding if there are anticipated needs in the current fiscal year. Unbudgeted funding is available to the planning agency to be amended into its budget at any time. Unspent funding from the prior SFY is available to the planning agency to be amended into its budget following close-out of the prior SFY.

When developing the TPWP, agencies are required to program carryover funding before programming new funding. When reimbursement requests are submitted to the Iowa Department of Transportation (DOT), payments are made by utilizing the oldest funding source in the agency's planning agreement. Funding is drawn down first by age, then sequentially by source. This helps streamline bookkeeping and ensure that funding within older CPGs is utilized prior to funding within newer CPGs.

Since MPOs and RPAs are allowed to carry over unused federal planning funds rather than being required to draw them down within a fiscal year, multiple CPGs are open at any given time. FTA has asked Iowa DOT to ensure funds are being drawn down in a timely manner and to work to limit the number of CPGs that are open. Furthermore, the new grant management system FTA launched in 2016 requires additional documentation and justification to keep a grant open past its original end date.

In order to satisfy FTA while still providing flexibility to MPOs and RPAs, Iowa DOT has implemented internal steps to reduce the number of CPGs that are open and has also developed the policy outlined below. Internal steps that Iowa DOT has taken include discussing the necessity of STBG transfers with individual agencies when substantial carryover balances exist, and evaluating planning agreements and amending them if necessary early in the SFY to ensure any older funding that was unspent in the previous SFY is utilized prior to newer funding. The MPO/RPA carryover policy, which is outlined below, took effect as part of the SFY 2018 TPWP cycle.

The internal changes and the MPO/RPA carryover policy will help Iowa DOT manage carryover balances that have become problematic for a small number of planning agencies. Over time, reduced carryover balances will allow Iowa DOT to maintain fewer open CPGs. In addition, the policy will prevent unnecessary funding transfers from FHWA to FTA, thus enabling SPR and STBG funding to be used more efficiently.

### **MPO/RPA Carryover Policy**

At the beginning of the calendar year, each planning agency's average annual federal transportation planning expenditures, based on the past five state fiscal years, will be calculated. If an agency has available carryover balances totaling more than this average, the following will apply.

RPA: The agency will receive its FTA allocation of 5305e and/or 5311 funding. The agency will not receive an SPR allocation or be allowed to transfer STBG funds for planning unless it can substantiate anticipated budget needs tied to significant expenditures (e.g., LRTP update, equipment purchases, consultant services, etc.).

MPO: The agency will receive its FHWA PL allocation and FTA 5305d allocation. The agency will not be allowed to transfer STBG funds for planning unless it can substantiate anticipated budget needs tied to significant expenditures (e.g., LRTP update, equipment purchases, consultant services, etc.).

Every year prior to or during the distribution of annual targets, each agency will be provided with its average annual federal expenditures and carryover balances and informed whether or not its SPR and/or STBG funds will be constrained due to available carryover balances. The agency will be provided an opportunity to respond and substantiate any anticipated significant expenditures during the upcoming contract year that would necessitate the SPR and/or STBG funding transfer. Iowa DOT will consider these needs and provide a response to the agency prior to distributing final targets. Any STBG constrained through this process will remain part of the planning agency's STBG balance and will be available for programming towards other projects. Any SPR constrained through this process will remain with Iowa DOT and utilized as part of its SPR program.

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

**AMES, IOWA**

**MARCH 8, 2022**

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on March 8, 2022, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Gloria Betcher, Bronwyn Beatty-Hansen, Amber Corrieri, Tim Gartin, and Anita Rollins. *Ex officio* Member Trevor Poundstone was absent. Council Member Junk arrived at 6:01 p.m.

**CONSENT AGENDA:** Mayor Haila stated that staff had requested to pull Item 5: Motion approving new 12-Month Class B Native Wine Permit - Oak Lane Candle Co., LLC, 121 Main Street, from the Agenda.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Special City Council Meetings held February 10, 2022, February 15, 2022, and February 28, 2022, and Regular City Council Meeting held February 22, 2022
3. Motion approving Report of Change Orders for period February 16 - 28, 2022
4. Motion certifying Civil Service candidates
5. Motion approving renewal of the following Beer Permits, Wine Permits and Liquor Licenses:
  - a. Class E Liquor License with Sunday Sales - Tobacco Outlet Plus #530, 204 S Duff
  - b. Class E Liquor License with Class B Wine Permit, Class C Beer Permit (carryout beer), and Sunday Sales - Wal-Mart Store #749, 3105 Grand Avenue
6. RESOLUTION NO. 22-106 approving appointments to various Boards and Commissions
7. RESOLUTION NO. 22-107 setting March 22, 2022, as date of public hearing to vacate public utility and water main easements at 1915 Philadelphia Street
8. RESOLUTION NO. 22-108 approving Encroachment Permit Agreement with Tonya Rock Photography for a Sign at 300 Main Street
9. Request for Greek Week:
  - a. Greek Week Olympics, Saturday, April 2, 2022, with April 3, 2022, as rain date
    - i. Motion approving blanket Temporary Obstruction Permit for the closed area
    - ii. RESOLUTION NO. 22-109 approving closure of Ash Avenue, Lynn Avenue, Sunset Drive, Gray Avenue, Greeley Street, and Pearson Avenue from 7:30 a.m. to 3:00 p.m. on April 2
10. RESOLUTION NO. 22-110 approving preliminary plans and specifications for 2021/22 Shared Use Path Maintenance - Little Bluestem; setting April 20, 2022, as bid due date and April 26, 2022, as date of public hearing
11. RESOLUTION NO. 22-111 approving preliminary plans and specifications for 2022/23 Main Street Paver Replacement Program (Kellogg Avenue - Douglas Avenue and Douglas Avenue - Duff Avenue); setting April 20, 2022, as bid due date and April 26, 2022, as date of public hearing
12. Secondary Disc Screen Rollers:

- a. RESOLUTION NO. 22-112 waiving Purchasing Policies pertaining to formal bidding
  - b. RESOLUTION NO. 22-113 approving sole source purchase from Clarke’s Sheet Metal of Eugene, Oregon, in the amount of \$54,542 (including freight charges)
13. RESOLUTION NO. 22-114 approving contract and bond for 2021/22 Concrete Pavement Improvements (S. Kellogg Avenue and N. 2<sup>nd</sup> Street)
14. RESOLUTION NO. 22-115 approving contract and bond for 2021/22 Downtown Street Pavement Restoration - Alley (Duff Avenue to Sherman Avenue)
15. RESOLUTION NO. 22-116 accepting completion of 2020/21 Airport Improvements (Electrical Vault)

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

Council Member Junck arrived at 6:01 p.m.

**PUBLIC FORUM:** Mayor Haila opened Public Forum. No one requested to speak, so he closed Public Forum.

**DISCUSSION OF ADDITIONAL QUESTIONS FOR RESIDENTIAL SATISFACTION SURVEY:** Public Relations Officer Susan Gwiasda advised that it was time for the annual Residential Satisfaction Survey. She stated that before the entire process starts, she likes to present the Survey to the Council to see if there are any recommended changes. Typically, the Survey is sent out in April, and by July, staff has received the responses to the Survey with the final results being presented in September.

Council Member Beatty-Hansen suggested dropping the “What would make Ames cool” question. She wanted to add a question about people’s willingness to sort their waste stream. Ms. Beatty-Hansen would like to see what kind of tolerance citizens would have to sorting their garbage.

Moved by Beatty-Hansen, seconded by Gartin, to add a question about garbage sorting and to remove the “What Would Make Ames Cool” question from the Survey.

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

Council Member Junck said that in Section E, No. 8, of the Survey regarding the Ames Police Department it said, “School Resource Officer Services,” and she suggested removing this line from the Survey. She also recommended breaking up “Illegal drug use prevention and enforcement” as she felt it would be valuable to have a separate line about marijuana because that item is policed differently than other illegal drugs.

Moved by Junck, seconded by Beatty-Hansen, to remove the “School Resource Officer Services” question and add a category for marijuana-related crime enforcement.

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

Council Member Rollins referred to Page 10 of the Survey under the “Your Health” section and

recommended combining question E and F, which would combine fruits and vegetables. She also wanted to add a question that asked citizens about accessing mental health services related to stress or feeling depressed.

Moved by Rollins, seconded by Betcher, to combine the section under “Your Health” regarding fruits and vegetables (Page 10, Item E and F) and add a mental health question to the survey.

Ms. Gwiasda wanted to clarify if the mental health question should be about how the citizens felt or if they accessed care. Council Member Beatty-Hansen mentioned that she preferred to ask how the citizens felt. Ms. Rollins stated that it would be nice to know how the citizen felt and then have another question to see if care was accessed.

Council Member Corrieri inquired if the question should be “During the last seven days did you feel depressed.” She explained that feelings are a very point-in-time question and she was not sure if that question would be a good gauge of mental health in the community.

Council Member Betcher wondered if the question should be “Have you accessed Mental Health Resources within the last six months.” Ms. Gwiasda pointed out that a lot of the other questions refer to the past seven days and that would be a change. She stated that the Council needs to think of what information they are trying to obtain and how a question can be formulated to get the information that the Council is seeking. Ms. Rollins explained that the goal is to see if people have suffered from depression and if they have accessed any resources. Council Member Corrieri stated that it would be good to know if people have felt they needed to access professional mental health care resources. She suggested that there be two questions: 1) If you felt you needed professional mental health resources; and 2) If you accessed professional mental health resources. Ms. Gwiasda mentioned that she could leave it as an open ended question.

Council Member Gartin said that Ms. Rollins’ question was actually asking “How would you rate your health.” Within the past few years they have learned that mental health is part of physical health. If the Council is going to ask a specific mental health question, there should also be a question asking “How would you rate your physical health.”

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

Council Member Betcher said that she would be interested in replacing the Letter E question under “Sense of Community” stating “What would make you feel welcomed and have a sense of belonging in Ames?” with “What could the City do to demonstrate its commitment to Diversity, Equity, and Inclusion.” She stated that she believed there was a difference in whether people felt welcomed or not and whether the City is doing enough to show that it is committed.

Moved by Betcher, seconded by Rollins, to replace the Letter E question under “Sense of Community” from “What would make you feel welcomed and have a sense of belonging in Ames?” to “What could the City do to demonstrate its commitment to Diversity, Equity, and Inclusion.”



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

Council Member Rollins asked if the Survey came in different languages. Ms. Gwiasda stated it did not. She said that she had never received any calls regarding offering the Survey in another language. Ms. Rollins suggested having the Survey available in the three other main languages. It was discussed to have something in the Mayor's letter about having the availability to obtain the Survey in a different language.

**CONTRACTS FOR ARTS CAPITAL GRANT PROGRAM:** Assistant City Manager Brian Phillips explained that this was a new Program that was implemented in the past year. A team of representatives from the Public Art Commission (PAC) and the Commission on the Arts (COTA) volunteered to evaluate the applications and made recommendations. A total of 11 applications were received, and after review, the evaluation team recommended awards to seven proposals. Granting the awards to the seven proposals will exhaust the \$200,000 available funding. Staff had prepared Contracts and held an orientation session for all the proposed awardees. Mr. Phillips said that all the proposed awardees have returned their Contracts. There are some unique projects that will potentially be moving forward with the Council's approval. All projects are to be completed by June 30, 2023.

Council Member Betcher asked if the Council would have any means to find out what the outcomes were for each project. Mr. Phillips indicated that as part of the Contracts, each of the recipients will be required to receive the Council's approval in order to close out their project. Staff will be bringing information back to the Council with photos and updates on the projects.

Mayor Haila opened public input and closed it when no one came forward to speak.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 22-117 approving the seven Contracts for the Arts Capital Grant Program, in accordance with the recommendations provided by the review committee.

Roll Call Vote: 5-0-1. Voting Aye: Beatty-Hansen, Betcher, Corrieri, Junck, Rollins. Voting Nay: None. Abstaining due to a Conflict of Interest: Gartin. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

**REQUEST FROM CAMERON GRAY REGARDING SCULPTURAL FREE LIBRARY TO BE PLACED ON CITY PROPERTY:** Assistant City Manager Brian Phillips noted that the Council had previously received a memo outlining the basic details of the proposed project that was brought forth by Cameron Gray. Staff had identified a few questions that had come up if the Council wanted to proceed with the placement of the sculptural free library on City property. Information was provided to the Council on how this project may interact with some of the City's existing Programs. The proposal from Mr. Gray is unique as it is a combination of art and a free library, and the City has programs for those two items, but separately.

Council Member Beatty-Hansen mentioned that she had spoken with Mr. Gray about some of the issues. One of the questions was regarding ownership of the structure. Ms. Beatty-Hansen indicated that when she spoke with Mr. Gray, it sounded as if he would be okay with the City eventually owning the structure. If the structure belonged to the City, it would take away some of the issues described in the Staff Report. She wanted to confirm with Mr. Gray that he was comfortable with the City owning the structure. The other topic was who would stock the free library and she was told that Mr. Gray would initially stock it and then the community would help to make sure that the free library was continually stocked.

Council Member Gartin stated it would be helpful to partner with organizations who have the structures that are already in place such as: Parks and Recreation, the Public Art Commission, and Raising Readers. If the structure was donated to the City, he would be in favor of it.

Council Member Betcher asked about the Raising Readers partnership and if there were rules to specify what the other free libraries can do. Parks and Recreation Director Keith Abraham commented that there are no regulations for colors or designs, and generally the free libraries are on a post, but have not discussed any further details.

Mayor Haila asked if there was a written policy or had it just been verbally communicated. Director Abraham stated that Raising Readers had worked with United Way to build the free libraries and give them to Parks and Recreation staff to install. If one of the free libraries gets damaged, staff lets Raising Readers know and they repair it, but nothing has been done formally.

Mayor Haila opened public input.

Cameron Gray, 505 Northwestern Avenue, Ames, thanked the Council for looking through his proposal. He noted he is committed to working with the Council to make the proposal happen. Mr. Gray felt this project could show that the City is acknowledging the presence of the black community. It was mentioned that Mr. Gray would be open to the City owning the structure; however, he was worried that over time the structure would be torn down. He didn't want to have the obelisk built only for it to be torn down five years later. Mr. Gray said that he would be happy to do a five-year contract with renewal options.

Mayor Haila asked staff if the sculpture would become an art piece. Mr. Phillips explained staff has not talked with the Public Art Commission (PAC) regarding this project. PAC has a couple of Programs that they operate and solicit proposals for. This proposal is unique as it is the artist coming up with a proposal rather than the other way around. There is a set of policies with PAC regarding acquisition of donated pieces. Mr. Phillips said there was a possibility of structuring an Agreement similar to a loan, where the City would take custody of the piece for a period of time and then turn it back over to Mr. Gray. Director Abraham stated another thing to consider is the parks system. He indicated that every year the Parks and Recreation Department gets requests from adjacent property owners to place items in the Parks, and he wanted to make the Council aware that random requests are made throughout the year. He would like to make sure there is a distinction between artwork and

“other” items. Council Member Beatty-Hansen commented that defining the structure as a free library would be helpful.

Council Member Gartin asked what the obelisk would be made from. Mr. Gray stated that he has hired an architect to help him build the obelisk to make sure it could stand up to all types of weather.

The Mayor inquired about restocking books and what Raising Readers’ policy was for content and variety of books. Director Abraham said that the City does not dictate what types of books are put in besides age appropriate books. There is one individual from Raising Readers that does go through the free libraries and restocks the books and takes out anything inappropriate. Director Abraham suggested having a conversation between Mr. Gray and Raising Readers to discuss how to get more diversity in the free libraries throughout the system. Mr. Gray indicated that he has already started collecting books and felt that Raising Readers would be able to help him find picture books showing black heritage. He wants to have books available for kids, teens, and adults. Mayor Haila noted that the Council is supportive of the project, but will refer to staff to obtain the rest of the details.

Mayor Haila closed public input when no one else came forward to speak.

Moved by Beatty-Hansen, seconded by Junck, direct staff to meet further with Mr. Gray, work out the ownership details as well as any structural requirements, and work on a Memorandum of Understanding.

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

**STAFF REPORT ON AFFORDABLE HOUSING FOR OR RELATED TO THE ANNEX GROUP:** Planning and Housing Director Kelly Diekmann noted that this item was in response to a referral request from the Annex Group requesting the City Council to establish an Urban Renewal Area (URA) to provide a tax abatement incentive in support of its planned 192-unit affordable housing project located within Hayden’s Preserve (formerly Rose Prairie) development. The approved Hayden’s Preserve Master Plan for the site allows for the development of up to 192 apartment units spread across two sites and with limitations on the mix of bedrooms and sizes. The Annex Group’s desire is to apply for a 4% Low Income Housing Tax Credit (LIHTC) project with 100% of the units as affordable units to households making 60% or less of the average median income (AMI) for Ames for a period of 30 years. The City has no current policy pertaining to providing incentives for affordable housing beyond the use of its CDBG and HOME funds. Director Diekmann commented that the Annex Group desired direction from the Council on its willingness to establish an URA for future tax abatement. At this time there is no policy in place to guide the City Council in determining which affordable housing projects should qualify for a tax abatement incentive. An affordable housing strategy is planned for later this year, which should identify targets, project eligibility criteria, and incentives. Staff’s early assessment of the proposed project indicated that the location’s lack of services, public transportation, and higher tax rates are negatives for the project. Director Diekmann stated that if the Council wanted to move forward, it would be just to direct staff to continue conversations with the Annex Group; it would not approve anything. The question before Council is if they want to look at this project as an opportunity right now or to wait

and see how the affordable housing strategy will line up with this particular location.

Council Member Beatty-Hansen said that the creation of the Strategy is scheduled for later in 2022. She and wanted to know what the time estimate would be. Director Diekmann explained the Strategy was added to the Work Plan about three weeks ago and the hope was to kick-off the Strategy in the late summer with the first step being to identify the issues. Ms. Beatty-Hansen asked if the Annex Group would have any issues with a delay. Director Diekmann mentioned that the Annex Group has the option to purchase the land sometime in the Spring; the Subdivision is not complete yet. If the Council did decide to work on the Strategy later in the fall, the Annex Group would need to see about getting an extension to their purchase option.

Council Member Corrieri asked if any conversations had occurred with the Annex Group regarding its project in Cedar Rapids, Iowa. She noted that the project was similar in terms of size and what was being requested. Director Diekmann said he had not, but the Annex Group did indicate that they are accustomed to having a smaller tax rate or a tax abatement for their projects.

Council Member Gartin asked if staff was confident that all 192 units would be able to be filled. Director Diekmann was sure that they would be filled. He commented that the apartments would be built in phases. It was mentioned that there have not been any new apartments in the City for the past several years. Director Diekmann said that all 192 units would be income-restricted at 60% or less of the average median income.

Council Member Betcher commented that there were a lot of challenges with this proposal and she loved the idea of having that many affordable units being brought to Ames, but it is an area that is not readily served by CyRide. At this point, the Council doesn't know what the assessment is, there isn't a lot of information available, and there is not a City Assessor. Ms. Betcher stated there were a lot of unknowns and some challenges, which made her lean towards waiting for a Policy to be in place first.

Council Member Corrieri said that she also believed the Council needed to have a policy in place. She stated that whatever conversation that staff has with the developer should be to inform them that the Council is trying to put a policy in place and would be interested in continuing to entertain a potential project from them if they are able to extend their purchase option. Ms. Corrieri stated that the Annex Group does have a history of affordable housing developments and this would be exciting for the City of Ames.

Director Diekmann stated that he looked at the Planning and Housing's Work Plan and the Affordable Housing Strategy is slated to begin in September 2022. The Mayor asked, if the Annex Group was interested in obtaining an extension, would there be any flexibility in moving the Affordable Housing Strategy up on the list. Director Diekmann commented that the biggest task was to start the Accessory Dwelling Unit Ordinance in the middle of this summer, and this would be a project that could be moved back a few months. Council Member Beatty-Hansen asked if the Accessory Dwelling Unit Ordinance and the Affordable Housing Strategy could trade priority levels

in the Work Plan.

Moved by Beatty-Hansen, seconded by Corrieri, to switch the Accessory Dwelling Unit Ordinance task with the Affordable Housing Strategy in the Work Plan.

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

Moved by Beatty-Hansen, seconded by Betcher, to direct staff to communicate with the developer that the City wants to work on its Affordable Housing Policy first, but is interested in their proposal and the City is working to speed up the process of a new policy.

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

Council Member Gartin commented that he would like to have a conversation about having mixed units incorporated into the policy discussion for affordable housing.

**UPDATE ON STATUS OF THE LOW-INCOME HOUSING TAX CREDIT (LIHTC) APPLICATION FOR MULTI-FAMILY HOUSING DEVELOPMENT IN THE BAKER SUBDIVISION (321 STATE AVENUE):** Housing Coordinator Vanessa Baker-Latimer stated that in December 2020, the City entered into a partnership Agreement with Prairie Fire Corporation and Builder's Development Corporation to submit a Low-Income Housing Tax Credit (LIHTC) application to the Iowa Finance Authority (IFA) for 37 multi-family housing units in the Baker Subdivision (321 State Avenue). In late September 2021, staff learned that the 9% LIHTC application was not funded due to the large group of disaster set-aside projects that absorbed most of the funding allocation. However, staff was still hopeful as the developer was notified that the governor's priority was to allocate an additional \$100 million dollars to affordable housing that the State was eligible to receive through the US Treasury. Unfortunately, the final US Treasury guidelines did not permit for the State to use the funds as they hoped. As a result, the State is only using the funds for previously awarded LIHTC projects. Therefore, the Agreement with Prairie Fire and Builder's Development Corporation is no longer valid, and staff would like to know how to proceed.

Ms. Baker-Latimer mentioned that the Staff Report listed four options for the Council to choose from. She reviewed, in detail, what the four options were:

1. Submit an application for the next round of 9% LIHTC funding with the current developer.
2. Partner with the current developer as a 4% LIHTC project and grant local assistance of approximately \$2.9 million.
3. Partner with the current developer as a 4% LIHTC project and local assistance of approximately \$2.0 million.
4. Request new proposals.

City Council Member Gartin asked if the numbers had been run for the amount of subsidy there would be per unit. The Mayor said the subsidy would come to around \$100,000 per unit. Mr. Gartin noted that the Council needed to think about if this would be a good investment for the City. Director Diekmann said for the development and the land it was discussed as being around \$40,000 per unit.

This would be a 30-year commitment for affordable housing.

Council Member Rollins inquired about what would happen to the funding that has already been set aside if the Council wanted to delay the project. Ms. Baker-Latimer stated staff will continue to hold the funding.

Council Member Betcher wanted to clarify the numbers of units. There are 32 affordable units in the current version and Option 3 would change the number to 30 affordable units. Ms. Baker-Latimer confirmed that was correct.

City Manager Steve Schainker stated a good question would be what would happen to the HOME funds if the City had to wait a year. Ms. Baker-Latimer advised that if the City Council wanted to use more than \$650,000 and go back out for proposals, some construction will need to be started on at least one house to use the available funding.

Council Member Gartin asked what the original proposals were for the number of units for affordable housing. Director Diekmann stated there was one proposal for 50 townhome units and this proposal was for 37 mixed-use units. Mr. Gartin stated that the Council has been talking about the need for affordable housing and wanted to know why the Council would want to reduce the number of affordable housing units. He said he would like to go back to the discussion of having 50 units instead of 37.

Council Member Beatty-Hansen inquired if the number of units would help on the LIHTC application. Director Diekmann explained that it is about maximizing the amount of credits and not maximizing the number of affordable units. He noted that 50 units was pushing the maximum amount for the site; 40 units would be a more comfortable number.

Council Member Betcher commented that when she thought about the options available, she was concerned about the option to start over as construction costs will not be going down and the City's subsidies will have to go up, which will make the project cost even more. She would be in favor of Option 3, which would get the City fewer units, but it would leave the City with some funding to do other things in the community.

Mayor Haila wanted to know the status of single-family homes and if it would be a slow, methodical roll-out so some money would be available to help. Ms. Baker explained that the HOME funds have been a blessing as you can use the HOME funds for construction. As far as finding home buyers, she has already gone through 50 applications and she is struggling to find people who could potentially qualify for a mortgage loan. She stated there are restrictions on the HOME funding, and they could have a house built, but if it sat empty for too long, the house would convert to a rental property, which staff is trying to avoid. The CDBG funds can't be used to build, but the money can be used for down payment and closing cost assistance. Ms. Baker-Latimer pointed out that she had spoken with several modular home developers to get an idea on pricing, and the current rates were between \$250,000 and \$300,000. She said staff would also look at working with non-profit developers to help

build.

The Mayor asked if the developer would be open to a lower front-end load and doing a partial tax abatement for a period of time. Director Diekmann commented that they can evaluate that option with the developer; however, he doesn't know what the actual project is yet. He pointed out that the HOME funds need to be spent. Ms. Baker-Latimer said that the City is in need of low-income units for families, and especially those with Section 8 vouchers.

Council Member Gartin asked if the City Council chose Option 4: to have the City rebid the project and ask for new Proposals, what would the City's monetary contribution be. Director Diekmann stated it would depend on if the City would be going with the 4% or 9% amounts, and it would also depend on if the project was going to be this year or next year.

Council Member Corrieri said she was not interested in starting over as that had already been done once. She was not convinced that a proposal would come in that was a lot more cost-effective.

Mayor Haila asked if there was a timeline. Ms. Baker-Latimer indicated that the 4% option had an open-ended application window while the 9% option would have applications due by May 18, 2022. Ms. Betcher asked how long it would take to get a decision after the applications were submitted. Ms. Baker-Latimer noted that it would be around November 2022.

Council Member Rollins wanted to know, if the City decided to move forward when the current builder would be able to start. Ms. Baker-Latimer indicated that they could be ready in May if the City went with the 4% option. Director Diekmann stated if it was agreed to do the 4%, the City would need to enter into a new Agreement with the developer, and concurrently, do a Site Plan review, and create building plans, while going through the Iowa Finance authority to get the award. It would be around September before the developer would get any notice from the State that it would be awarded the 4%, and the earliest any groundbreaking would happen would be October 2022.

Ms. Baker-Latimer reminded the Council that, when using the HOME ARP funds, they still needed a public input/comment period.

Mayor Haila asked, if the project gets designed and bid and the amount comes in above what is estimated would the designer have the option to ask for money or not do the project at all. Mr. Schainker replied that it would depend on what the current Agreement said.

Mayor Haila recessed the meeting at 7:50 p.m. and reconvened it at 7:55 p.m.

Director Diekmann stated that, under the current Agreement, the developer had complete discretion to execute the Agreement within nine months of the LIHTC award. If the developer chose not to execute the Agreement, there would be no penalty. Prairie Fire would have had to show the City proof of financing before the land could be sold to them.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 22-123 to partner with the current developer as a 4% LIHTC project and local assistance of approximately \$2.0 million.

Council Member Gartin wanted to know at what point the City would consider the legality of going with a Contract that is significantly different than the first arrangement. He wanted to make sure that whatever the Council decided to do would be legal to make a change without having to do a new RFP. Ms. Baker-Latimer said she had a conversation with the Purchasing Agent and the Assistant City Attorney about that exact question. She was told that since the project has not changed, the City would be okay to renegotiate the Agreement. Director Diekmann pointed out that the entity needed to be the same as what the City first dealt with; the name can't change. Mr. Gartin said he had hoped that the City could get a better project for the community and was concerned that housing advocates were not at the initial meetings and were not present now. He felt that the people who were really losing on this project were not present. He wished the Council would have stayed with the original proposal of 50 units.

Roll Call Vote: 5-1. Voting Aye: Beatty-Hansen, Betcher, Corrieri, Junck, Rollins. Voting Nay: Gartin. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

**REQUESTS FOR PROJECTS IN CONJUNCTION WITH CDBG-CV ROUND 2 CARES FUNDING THROUGH THE STATE OF IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT AUTHORITY:** Housing Coordinator Vanessa Baker-Latimer explained that the City has received a significant amount of CARES funding. Staff's priority was to administer the City's CDBG-CARES-CV to first ensure that 80% of the direct allocation of funds of \$710,970 would be spent addressing one of the City's most urgent needs. Those needs included providing rent, mortgage, and utility assistance to low-income households about to face eviction, foreclosure, and/or utility disconnections. In recent meetings with IDEA staff, they encouraged the City to expend the funds quickly and to focus on small prevention through service capacity building and/or facility expansion types of projects. Staff had reviewed services to determine a list of specific groups that provide services in the areas of food distribution, meal delivery for the elderly, and facility-based daycare. Staff recommended supporting these types of programs due to the feasibility and the need in the community. A Workshop would be held for related organizations describing grant-eligible activities and soliciting grant applications. The process would occur over the next few months with funds being potentially available later in calendar year 2022.

Moved by Betcher, seconded by Rollins, to direct staff to proceed with hosting a grant application workshop and requesting funding proposals from area organizations that provide services, such as a food distribution, meal delivery for the elderly, and facility-based daycare services for potential funding through the CDBG-CV Round 2 CARES Program administered by the IDEA.

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

**SETTING DATE OF PUBLIC HEARING FOR MARCH 22, 2022, FOR THE SALE OF AIRPORT PROPERTY AT 1101 AVIATION WAY TO MULMAC, LLC:** Moved by Betcher,



seconded by Beatty-Hansen, to adopt RESOLUTION NO. 22-118 setting the date of Public Hearing for the sale of airport property at 1101 Aviation Way to Mulmac LLC, for March 22, 2022.  
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON PROPOSAL TO ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$11,225,000:** Mayor Haila opened the public hearing. It was closed when no one asked to speak.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 22-119 approving the proposal to enter into an Essential Purpose Loan Agreement for the purpose of paying the costs of undertaking essential public improvements and acquiring vehicles and equipment for the Municipal Fire Department and providing for the levying of taxes to pay the same.  
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON PROPOSAL TO ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$700,000:** The public hearing was opened and closed by Mayor Haila when no one came forward to speak.

Moved by Gartin, seconded by Junck, to adopt RESOLUTION NO. 22-119 approving the proposal to enter into a General Purpose Loan Agreement for the purpose of paying the costs of undertaking the Downtown Plaza Improvements and providing for the levying of taxes to pay the same.  
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON PROPOSAL TO ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$350,000:** The Mayor opened the public hearing. There was no one wishing to speak, and the hearing was closed.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 22-119 approving the proposal to enter into a General Purpose Loan Agreement for the purpose of paying the costs of concrete surfacing improvements for a municipal fire station and providing for the levying of taxes to pay the same.  
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON AMENDMENTS TO FISCAL YEAR 2021/22 BUDGET:** Mayor Haila declared the public hearing to be open.

Lauris Olson, 1705 Buchanan Drive, Ames, thanked the Council for its commitment to affordable housing. She stated she would like to ask the Council to amend the award to Home Allies. Ms. Olson commented that they were grateful for the \$25,000. She asked if the Council would consider

awarding the \$24,522 or rounding up to \$25,000 for construction. They are currently at 30% for funds raised to match for the bank loan, and they are at 50% for the subsidies. Ms. Olson said she was waiting on the leases and a Memorandum of Understanding from The Bridge Home.

Council Member Gartin asked for clarification on what Ms. Olson was requesting. Ms. Olson stated she was previously awarded \$25,000 by City Council for rent subsidies and now she is asking for another \$25,000 for construction for a total of \$50,000. City Manager Steve Schainker asked Finance Director Duane Pitcher if the Council was able to add money to the budget at this time. Director Pitcher explained that the Council could not add money, only reduce the amount; however, the Council could reallocate funding. Ms. Olson stated it was her understanding that there was money in “Council Priorities” that could be utilized. The Mayor recommended that Ms. Olson speak to staff for further information.

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

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 22-120 approving amending the budget for Fiscal Year ending June 30, 2022.

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

**HEARING ON ADOPTION OF FY 2022/23 BUDGET:** The Mayor opened the public hearing and closed it after there was no one who wished to speak.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 22-121 approving the FY 2022/23 Budget.

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

Council Member Corrieri left the meeting at 8:22 p.m.

**HEARING ON MAJOR SITE DEVELOPMENT PLAN FOR 913 AND 915 DUFF AVENUE AND 115-9TH STREET:** City Planner Benjamin Campbell explained that Lauris Olson of Home Allies, Inc., is the developer of the properties. The properties on Duff Avenue are located in the Residential Medium Density Zoning District (RM) and within the Single-Family Conservation Overlay Zoning District (O-SFC). Each of the lots on Duff Avenue is proposed to have one, four-unit one-story apartment building. The O-SFC Zoning District allows for single- and two-family homes by right and for multi-family buildings with City Council’s approval of a Major Site Development Plan. The O-SFC requires that all new projects comply with design standards intended to conserve the existing single-family residential character and to protect single-family neighborhoods while guiding the transition to higher density and compatibility with the surrounding uses where intensification is permitted. The standards include requirements for roof slope, facade design, and height. All other development standards of the Zoning Ordinance, such as parking and landscaping also apply to development of the site. The proposed project includes two, one-story buildings with

mirrored floor plans and architectural features. Each building contains four efficiency apartment dwellings with a shared laundry facility that are accessed via a common corridor. The proposed project includes a single, shared driveway to Duff Avenue with all parking at the rear of the site. The Planning and Zoning Commission did recommend approval. Mr. Campbell explained that a neighbor across the street had mentioned that there is a large evergreen tree near the northeast corner and asked for it to be taken into consideration when the water line is installed so that the roots are not damaged. Staff recommended approval of the Major Site Development Plan for 913 and 915 Duff Avenue and 115 9<sup>th</sup> Street with the following conditions:

1. Record a shared-access easement for the shared driveway prior to issuance of a building permit.
2. Include tree protection during project construction for the large evergreen tree to the north of 915 Duff Avenue and shift the proposed water line south to minimize impact to the tree's critical root zone.

Council Member Gartin commented that he didn't remember making accommodations for a tree before and wanted to know if it changed the project at all. Mr. Campbell stated he had spoken with the Public Works Department and it wouldn't change the size of the water line.

Mayor Haila opened the public hearing.

Lauris Olson, 1705 Buchanan Drive, Ames, stated she has no problems saving the tree and the architect was fine with it. She said that there were unintended consequences and increased costs related to the Zoning and Overlay Districts. She was concerned about the shared-access easement as she was not aware that this would need to be done before the issuance of a building permit. Ms. Olson stated that Home Allies will not own the property until construction is done and it will be up to the current owner if the shared-access easement is possible before. She had sent the information to the current owners who sent the information to their attorney and she is still waiting to hear back from them. Ms. Olson noted that she is getting American Rescue Plan Act (ARPA) funds from Story County, and unlike the City of Ames HOME funds, the ARPA funds will allow her to host people with bad credit and prior evictions. In order to meet the federal acquisition requirements, it has to be a sole-source, which means they can't own the land in advance. The land and building must be purchased together as a sole-source. If the current owners want to come up with a Purchase Contract first, Home Allies would not be able to proceed as they do not have all the money raised yet, and she can't in good faith commit to a Contract until all the money and the grants are in. Ms. Olson asked for staff to consider allowing the shared-access easement to be filed before an Occupancy Permit is issued.

Mayor Haila closed the public hearing when no one else came forward to provide input.

Director Diekmann stated that staff could change the requirement of the shared-access easement to be done before the Occupancy Permit is issued.

Moved by Gartin, seconded by Junck, to adopt RESOLUTION NO. 22-122, to approve Alternative

1, which is to approve the Major Site Development Plan for 913 and 915 Duff Avenue and 115-9<sup>th</sup> Street with the two conditions being recommended by staff and with the exception that the shared-access easement Agreement be filed prior to issuing the Occupancy Permit.

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

**ORDINANCE REZONING 525 SE 16<sup>TH</sup> STREET FROM AGRICULTURAL “A” TO HIGHWAY ORIENTED COMMERCIAL “HOC” AND RETAIN THE ENVIRONMENTALLY SENSITIVE AREA OVERLAY “O-E” FOR THE FLOODWAY:**

Moved by Betcher, seconded by Junck, to pass on second reading an ordinance rezoning 525 SE 16<sup>th</sup> Street from Agricultural “A” to Highway Oriented Commercial “HOC” and retain the Environmentally Sensitive Area Overlay “O-E” for the floodway.

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

**ORDINANCE REZONING 2098 W. 190<sup>TH</sup> STREET FROM FLOATING SUBURBAN RESIDENTIAL MEDIUM DENSITY (FS-RM) TO FLOATING SUBURBAN RESIDENTIAL MEDIUM DENSITY PLANNED UNIT DEVELOPMENT (FS-RM PUD) OVERLAY:**

Moved by Rollins, seconded by Junck, to pass on second reading an ordinance rezoning 2098 W. 190<sup>th</sup> Street from Floating Suburban Residential Medium Density (FS-RM) to Floating Suburban Residential Medium Density Planned Unit Development (FS-RM PUD) Overlay.

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

**ORDINANCE TO ALLOW TEMPORARY YARD WASTE PROCESSING FACILITIES THROUGH APPROVAL OF A SPECIAL USE PERMIT BY THE ZONING BOARD OF ADJUSTMENT:**

Moved by Betcher, seconded by Junck, to pass on second reading an ordinance to allow for temporary yard waste processing facilities through approval of a Special Use Permit by the Zoning Board of Adjustment.

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

**DISPOSITIONS OF COMMUNICATIONS TO COUNCIL:** Mayor Haila said there were two items on the list. The first item was a letter from Josh Abate, Director of Facilities for Green Hills Retirement Community, requesting to wrap the transformer boxes located on the Green Hills Campus.

Moved by Beatty-Hansen, seconded by Junck, to communicate to Josh Abate, Director of Facilities for Green Hills Retirement Community that the Council is doing a pilot project and will entertain his request once the pilot has been completed.

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

The second item was a letter from Delaney Good and Elijah Cosby requesting for the placement of signs and community outreach to educate residents of the dangers of harmful algal bloom (HAB) Toxins.

Moved by Beatty-Hansen, seconded by Gartin, to thank them for their letter and state that the City Council will take it under advisement.

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

**COUNCIL COMMENTS:** Council Member Betcher mentioned that she had attended the Iowa State Conference on Race and Ethnicity (ISCORE) and it was a great celebration of diversity on Campus and in the community.

Council Member Gartin stated his heart has been heavy since the invasion of Ukraine. Cities across the country are expressing their support for Ukraine, and Des Moines has shown their support with lighting.

Moved by Gartin, seconded by Beatty-Hansen, to direct staff to change the color of the lights on Highway 30 and Bandshell Park to the national colors of Ukraine, and to place this matter on the City Council Agenda for April 12, 2022, to consider the status.

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

**CLOSED SESSION:** Council Member Junck asked City Attorney Mark Lambert if there was a legal reason to go into Closed Session. Mr. Lambert replied in the affirmative, citing Section 21.51(1)c, *Code of Iowa*, to discuss matters presently in or threatened to be in litigation.

Moved by Junck, seconded by Gartin, to go into Closed Session.

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

The City Council entered into a Closed Session at 8:43 p.m. and reconvened in Regular Session at 8:55 p.m.

Moved by Betcher, seconded by Gartin, to pursue the recommendation of staff.

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

**ADJOURNMENT:** Moved by Junck, seconded by Betcher, to adjourn the meeting at 8:56 p.m.

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

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Amy L. Colwell, Deputy City Clerk

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John A. Haila, Mayor

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Diane R. Voss, City Clerk



## REPORT OF CONTRACT CHANGE ORDERS

<b>Period:</b>	<input checked="" type="checkbox"/>	1 <sup>st</sup> – 15 <sup>th</sup>
	<input type="checkbox"/>	16 <sup>th</sup> – End of Month
<b>Month &amp; Year:</b>	March 2022	
<b>For City Council Date:</b>	March 22, 2022	

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)
Transit	Purchase of Four New 40-Foot Standard Diesel Busses	1	\$1,930,378.00	Gillig LLC	\$0.00	\$2,230.00	J. Rendall	MA
Fleet Services	City Access Control System	4	\$644,276.00	Commonwealth Electric Company	\$16,886.00	\$16,442.00	D. Schildroth	MA
Fire Department	Ladder Truck Replacement	3	\$1,152,825.00	Reliant Fire Apparatus, Inc.	\$10,288.00	\$500.00	R. Higgins	MA
Public Works	2019/20 Arterial Street Improvements (13 <sup>th</sup> Street: Wilson to Duff	1	\$2,350,344.20	Con-Struct, Inc.	\$0.00	\$14,283.30	T. Peterson	MA
			\$		\$	\$		
			\$		\$	\$		

# MEMO



**To:** Mayor John Haila and Ames City Council Members  
**From:** Lieutenant Heath Ropp, Ames Police Department  
**Date:** March 9, 2022  
**Subject:** Beer Permits & Liquor License Renewal Reference City Council Agenda

The Council agenda for March 22<sup>nd</sup>, 2022, includes beer permits and liquor license renewals for:

- **Off Campus Beer & Spirits** (4518 Mortenson Rd Ste 109) - Class E Liquor License, Class C beer permit, Class B Wine Permit
- **Cinemark Movies 12** (1317 Buckeye Ave) - Class C Liquor License with Sunday Sales
- **Cornbred BBQ** (526 Main St Ste 106) - Class C Liquor License with outdoor service & Sunday sales
- **Radisson Ames** (2609 University Blvd) - Class C Liquor License with outdoor service & Sunday sales
- **Brick City Grill** (2640 Stange Rd) - Class C Liquor License with outdoor service & Sunday sales

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

## MEMO



**To:** Mayor John Haila and Ames City Council Members  
**From:** Lieutenant Heath Ropp, Ames Police Department  
**Date:** March 9, 2022  
**Subject:** Beer Permits & Liquor License Renewal Reference City Council Agenda

The Council agenda for March 22<sup>nd</sup>, 2022, includes beer permits and liquor license renewals for:

- **Dangerous Curves** (111 5<sup>th</sup> St) - Class C Liquor License with Sunday Sales

A review of police records for the past 12 months found 1 liquor law violation. During a compliance check on March 25<sup>th</sup>, 2021, an employee sold alcohol to a minor and was cited accordingly. A follow-up compliance check was completed, and no violations were recorded.

The Police Department will continue to monitor the above location by conducting regular foot patrols, bar checks and by educating staff through training and quarterly meetings. The Ames Police Department recommends license renewal for the above business.



**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING AND ADOPTING  
SUPPLEMENT NO. 2022-2 TO THE AMES MUNICIPAL CODE**

BE IT RESOLVED, by the City Council for the City of Ames, Iowa, that in accordance with the provisions of Section 380.8 Code of Iowa, a compilation of ordinances and amendments enacted subsequent to the adoption of the Ames Municipal Code shall be and the same is hereby approved and adopted, under date of April 1, 2022, as Supplement No. 2022-2 to the Ames Municipal Code.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
John A. Haila, Mayor

Attest:

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

# MEMO



*Caring People ♦ Quality Programs ♦ Exceptional Service*

**TO:** Members of the City Council

**FROM:** John A. Haila, Mayor

**DATE:** March 22, 2022

**SUBJECT:** Appointment to Fill Vacancy on Planning and Zoning Commission

Jens Dancer, member of the Planning and Zoning Commission had submitted his resignation from the commission. Since Jens term of office does not expire until April 1, 2024, an appointment needs to be made to fill this vacancy.

Therefore, I request that the City Council approve the appointment of Mike LaPietra to fill an unexpired term of office on the Planning and Zoning Commission.

JAH/alc

**COUNCIL ACTION FORM**

**SUBJECT: SET PUBLIC HEARING FOR SALE OF CITY-OWNED PROPERTY AT  
241 VILLAGE DRIVE TO HABITAT FOR HUMANITY OF CENTRAL IOWA**

**BACKGROUND:**

As part of the City's Community Development Block Grant (CDBG) Neighborhood Sustainability Program, the acquisition/reuse program component seeks to acquire single-family properties and/or lots for reuse for affordable housing to assist low- and moderate-income (80% or less of AMI) families. The program also makes health and safety repairs to the properties, as needed. Where possible, the properties are matched with eligible first-time homebuyers through the City's CDBG Homebuyer Assistance Program. Program parameters also permit the sale of properties to qualified non-profit organizations in the community.

CDBG funds were used to purchase the property at 241 Village Drive as part of the Acquisition/Reuse Program. The property was purchased in 2018 for \$161,000. The only major improvements to the property were the installation of a concrete driveway (approximately \$7,000) and installation of a radon system (\$1,124). The property was intended to be sold to a low-income first-time homeowner for \$100,000, with the proceeds being used towards the improvements in the Baker Subdivision at 321 State Avenue.

Habitat for Humanity of Central Iowa (HHCI) approached staff with an interest in purchasing the 241 Village Drive property for \$100,000. Following the purchase, Habitat would be responsible for any further improvements it wishes to make to the property, and will ultimately identify a qualifying family to move into the home.

A collaboration with Habitat for Humanity of Central Iowa would represent the fourteenth endeavor between Habitat and the City of Ames. This project will allow the City to continue to address one of its priority goals outlined in the both the 2021-2022 Annual Action Plan and in the 2019-2023 CDBG Consolidated Plan, which is to increase the supply of affordable housing for LMI households.

The City's Finance staff has reviewed a draft of HHCI's 2021 Annual Audit Report and finds it in good order including the audit opinion. Therefore, staff has been working with the HHCI Executive Board and City's Legal Department staff to finalize terms and conditions for this purchase and to set April 12, 2022, as the date of public hearing.

**ALTERNATIVES:**

1. Set April 12, 2022 as the date of public hearing to sell the property at 241 Village Drive to Habitat for Humanity of Central Iowa in the amount of \$100,000, and authorize staff to finalize terms and conditions for the sale.
2. Set April 12, 2022 as the date of public hearing to sell the property at 241 Village Drive to Habitat for Humanity of Central Iowa in the amount of \$100,000, and authorize staff to finalize terms and conditions for the sale with **additional terms and conditions or modifications**.
3. Direct staff to seek other buyers for this property.
4. Decline to sell the property at this time.

**CITY MANAGER'S RECOMMENDED ACTION:**

The sale of the 241 Village Drive home to Habitat for Humanity of Central Iowa will assist the City in its efforts to continue to address the housing needs for low- and moderate-income first-time home buyers. The proposed purchase price is consistent with staff's initial estimates. Selling the property at this time to Habitat will accelerate the occupancy of the home with a qualified household as City staff focuses efforts on completing Baker Subdivision.

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

**COUNCIL ACTION FORM**

**SUBJECT: APPROVAL OF 2021 ANNUAL CERTIFIED LOCAL GOVERNMENT REPORT**

**BACKGROUND**

Under the Certified Local Government (CLG) Agreement with the State Historic Preservation Office (SHPO), local governments and their Historic Preservation Commissions are responsible for submitting an annual report documenting the Commission's preservation work during the previous calendar year. The report documents that the Commission has met the requirements of the CLG program and is in good standing. The report also includes a Work Plan for the upcoming year.

The Ames Historic Preservation Commission (HPC) met on March 8, 2022, at which time it documented its accomplishments for 2021 and developed its Work Plan for 2022, based upon Commission priorities.

**SHPO requires that a representative of the HPC provide details of the 2021 accomplishments of the HPC, and the Work Plan for 2022 to the City Council, followed by the Mayor acknowledging completion of this requirement.** Staff prepared the report for HPC review at its March 8 meeting. Attached is the portion of the CLG Report that addresses the successes and challenges of the previous calendar year (2021), and the 2022 Work Plan as approved by the HPC.

Notable new initiatives for the 2022 Work Plan include completing the CLG Grant Chautauqua Park-Ridgewood intensive resource survey, advising City Council regarding revisions to Downtown Façade Grant program for preservation of character defining features, and reviewing the Chapter 31 Historic Preservation Ordinance for clarity and user friendliness.

**ALTERNATIVES:**

1. Approve the 2021 accomplishments of the Historic Preservation Commission (HPC), and the Work Plan for 2022, as described in the 2021 Certified Local Government Report and direct the Mayor to acknowledge completion of the report.
2. Refer the 2021 CLG Report back to the Historic Preservation Commission (HPC) and/or staff for revisions.

**CITY MANAGERS RECOMMENDED ACTION:**

The HPC has documented its accomplishments for 2021 and has developed a 2022 Work Plan that represents its priorities for the current calendar year.

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

(Portion of the 2021 CLG Report)

## Attachment A

### 8.1 Describe the city, county, LUD, and/or historic preservation commission's historic preservation planning activities in this calendar year.

- Work Plan- In February 2021, the Ames Historic Preservation Commission approved the 2021 Work Plan for the year.
- Awards Program- In January and February, nominations were received for the 2021 Annual Historic Preservation Awards Program. Two projects were selected for awards. One was the Adaptive Reuse of the building at 319-321 Main Street in Downtown Ames by OEI Ames, LLC. The other award recipient was Angie and Dan Kolz in the category of Historic Rehabilitation for their residence at 802 Burnett Avenue in the Old Town Historic District. In April, a public presentation was made by the Mayor and City Council to both the 2020 and 2021 Historic Preservation Award recipients, since the 2020 awardees public recognition of their achievement had been postponed due to Covid-19.
- Preservation Plan- In March 2021, the City Council reviewed proposed amendments to the *Ames Comprehensive Historic Preservation Plan* which were recommended by the Historic Preservation Commission from their detail review during 2020. Additional revisions were directed by the City Council and the revised *Ames Comprehensive Historic Preservation Plan* was adopted on April 13, 2021. Changes included updates, clarifications, deletions, and additions to the goals, objectives, and action steps of the Plan.
- National Historic Preservation Month Proclamation- On April 27, 2021, the City Council made a proclamation in observance of May National Historic Preservation Month.
- The Ames City Council approved a fiscal year 2021/22 budget of \$2000 for historic preservation activities. The funding is to be used for training and conferences for members of the Ames Historic Preservation Commission, as well as for the Historic Preservation Annual Awards Program, tours, brochures, and other educational programs.
- Additionally, the Ames City Council funded \$46,827 to the Ames History Museum for the following contracted services for the 2021 calendar year:
  - Presented 45 presentations and open houses, to be hosted at the Ames History Center and in locations throughout the community;
  - Took the history trailer to 5 community events or elementary school visits;
  - Responded to no fewer than 300 research requests;
  - Hosted at least 750 public open hours at the Ames History Center;
  - Cataloged at least 450 historical Ames collections objects;
  - Posted 250 historical photos or stories online;
  - Made 75 new resources available online;
  - Presented 12 new exhibits at the museum, at other locations, or virtually;
  - Conducted research and installed a "Mayors of Ames" plaque; and
  - Collaborated with no fewer than 5 partnering community organizations to conduct special projects, host events, and/or present programs.

**8.2 Describe the city, county, LUD, and/or historic preservation commission’s assistance on preservation issues or projects in this calendar year. Please be specific (address(es) of property(ies), what was the issue(s), what technical assistance was provided?)**

- Members of the Ames Historic Preservation Commission and City staff met with the individual owners of property in the Old Town Historic District to review applications for the following:
  - the construction of a reconstruction and repair of the front porch;
  - construction of an entrance on the rear side of the house;
  - demolition of a contributing detached garage;
  - construction of a new detached garage;
  - removal and replacement of existing asphalt shingles and aluminum K-style gutters;
  - removal and replacement of wood exterior doors;
  - alterations to an existing chimney;
  - removal and replacement of existing wood windows, addition of windows, and installation of aluminum storm windows;
  - removal and replacement of select areas of siding;
  - removal of a non-contributing second story deck; and
  - construction of new wood fencing and gate.

A Certificate of Appropriateness was issued by the Commission or staff for each project. A total of nine Certificates of Appropriateness were issued in 2021 for five properties.

**8.3 Describe the city, county, LUD, and/or historic preservation commission’s public education programs in this calendar year.**

Please provide specific details such as date of event, description of the event, how many people participated, whether the commission partnered with other organizations)

- An education walk through program was held on November 18, 2021, at the historic Odd Fellows Temple located on Main Street in Ames historic downtown. Steve Wilke-Shappiro provided insights on obtaining historic tax credits. Downtown property and business owners were invited. Approximately 25-27 people attended. Most in attendance were business owners and property owners, although there were also some ISU students that also attended.
- The following Commission members and City staff participated in the Virtual 2021 Preserve Iowa Summit originating from Council Bluffs, Iowa, held on June 3-5, 2021:
  - Susan Minks, Ames Historic Preservation Commission;
  - Mary Jo Winder, Ames Historic Commission; and
  - Eloise Sahlstrom, City Staff Liaison to the Ames Historic Preservation Commission.

**9. Are there any particular issues, challenges, and/or successes your preservation commission has encountered or accomplished this year?**

Successes-

- Since the establishment of the Ames Main Street Historic District in 2019, it has been a goal of the HPC to help get the word out to property owners within the City’s historic districts about federal and state tax incentives that support the rehabilitation and reuse of historic architecture



and help revitalize communities. Finally, in 2021, a successful educational event was realized, with over two dozen people in attendance.

- Another notable success for 2021, was the successful CLG grant submission and receipt of \$14,000 (in 2022) for an intensive level survey of the Chautauqua Park and Ridgewood subdivisions. The last time the City had applied and received funding through the CLG grant program was in 2009. The effort will include the use of ISU students and the Ames History Museum.
- Preservation Plan- After an extensive review by the HPC of the Ames Comprehensive Historic Preservation Plan during 2020, the City Council adopted the revisions on April 13, 2021. Changes included updates, clarifications, deletions, and additions to the goals, objectives, and action steps of the Plan.
- Additionally,
  - The City of Ames continues to provide funding to the Ames Historical Museum for a variety of services including education and research.
  - The City of Ames had excellent participation by Historic Preservation Commission members and City staff in the Virtual 2021 Preservation Iowa Summit.
  - Granting Certificates of Appropriateness. Review of applications resulted in the timely issuance of nine Certificates of Appropriateness for five properties.
  - The Historic Preservation webpage on the City of Ames website continues to be frequented by the public and the Commission as a tool for public awareness about historic preservation in Ames.

#### Challenges-

- The HPC accomplished a lot in 2021. No major challenges were encountered.

**18. Each CLG was asked to provide a work plan last year. Please provide a self-assessment of your progress on the initiatives and programs you identified last year. Were you able to accomplish much of what you set out to do? If not, what would help you fulfill this in next year's work plan?**

#### **2021 WORK PLAN –**

##### **Educate the Public Concerning the Value and Benefit of Historic Preservation.**

- Facilitate the dissemination of historic preservation information.
  - Collaborate with the Ames History Museum and Iowa State University on resources and possible joint projects.
  - Explore new ways to involve Iowa State University students in historic preservation for the community.
- Continue with funding for training of Commission members and developing educational resources about Ames history and historic resources.
  - Participate in educational opportunities afforded by the 2021 Preserve Iowa Summit offered virtually, originating from Council Bluffs on June 3-5. All Ames Historic Preservation Commission members will be strongly encouraged to log into the virtual sessions.
- Continue Historic Preservation Commission Annual Historic Preservation Awards Program, and present awards with the Mayor at a City Council meeting in April or May.
- Continue to recognize May as Preservation Month with a Proclamation by City Council.
- Seek speakers for presentations of timely preservation topics in Ames.

- Seek membership in the National Alliance of Preservation Commissions.

\*Assessment of Progress in 2021:

- Dissemination of Information- The Ames City Council funded \$46,827 to the Ames History Museum for the dissemination of historic preservation information as described in question 8.1.
- The HPC submitted in 2021 for CLG grant funding for an Intensive Level survey of the Chautauqua Park and Ridgewood subdivisions. The effort in 2022 will include collaboration with the Ames History Museum and the use of ISU students. The students will complete a historic context, research primary source documents, photograph all resources, and complete State of Iowa inventory forms for all properties in the project area. All grant-funded activities will be under the supervision of three Historic Preservation Commission members.
- Training- Funding for HPC training was included in the City budget by the Ames City Council. Two Commission members and one staff liaison was able to participate in the virtual 2021 Preserve Iowa Summit originating from Council Bluffs on June 3-5.
- Awards- The annual Historic Preservation Awards Program resulted in two awardees- one in adaptive reuse and one in historic rehabilitation. Winners from both 2020 and 2021 were recognized by the Mayor and City Council at the City Council meeting held on April 27, 2021.
- Proclamation- The Mayor and City Council made a proclamation to recognize May as Preservation Month.
- Speakers- The Commission sponsored an education session with Steve Wilke-Shapiro of Sequel Architecture who led a walk-through of the Odd Fellows Temple in downtown Ames. He discussed tax incentives applicable to commercial properties in the downtown area and which support rehabilitation and reuse of historic architecture. The event was attended by 25-27 people including property owners, business owners and ISU students.
- NAPC- Membership in the National Alliance of Preservation Commissions was discussed, but no action was taken.

**Promote the Economic Development and Vitality of the City through Historic Preservation.**

- Partner with Ames Main Street to offer a presentation on the use of tax credits available for properties in both the Old Town Historic District and the Ames Main Street Historic District.
- Continue granting Certificates of Appropriateness in a timely manner. Make resources readily available to enable the public to be more aware and compliance more easily understood with design guidelines and design standards.
- Design and install two permanent signs on either end of Main Street showing “before” and “now” views of our historic Main Street, as funding becomes available.

\*Assessment of Progress in 2021:

- Speakers- The Commission partnered with Ames Main Street and sponsored Steve Wilke-Barre to lead a walk-through of the historic Odd Fellows Temple, located in downtown Ames. He discussed the federal and state tax incentives that support the rehabilitation and reuse of historic architecture. Ames Main Street was instrumental in helping publicize the event to downtown property owners and businesses. Approximately 25-27 people attended.
- COAs- The timely granting of Certificates of Appropriateness (COA) continued in 2021 as in past years. City staff has the authority in Chapter 31 to issue a COA for alterations to existing structures provided the alterations are consistent with the Design Guidelines and Design Criteria. Approval from the Historic Preservation Commission is required for all new construction or any building addition that increases the amount of gross floor area.
- No action was taken to design/ install permanent signs on each end of Main Street.

**Complete Review of Chapter 31 of the Ames Municipal Code adopted in 2015.**

- Review current procedures for obtaining a Certificate of Appropriateness.
- Convey text amendments to the City Council for consideration.

**\*Assessment of Progress in 2021:**

- Reviewing of COA procedures and Chapter 31 was postponed until 2022.

**Continue to Use the Ames Comprehensive Historic Preservation Plan as a Guide to the Annual Work Plan.**

- Implement “Action Steps” with the support of the City Council.
- Conduct surveys of historic resources with the support of City Council, and grant funding.

**\*Assessment of Progress in 2021:**

- Preservation Plan- Based upon their work in 2020, the HPC presented an update to the Goals, Objectives, and Action Steps of the Ames Comprehensive Historic Preservation Plan (HPP) to the City Council in March. In April, the City Council approved the update.
- The HPC identified Chautauqua Park and Ridgewood Subdivisions as areas appropriate for an intensive survey and applied for CLG Grant funding. Grant funding was approved in 2022. The survey will be conducted in 2022 and 2023.

*(Portion of the 2021 CLG Report)*

## **2022 Work Plan**

**19. Each commission should develop a work plan for the coming year. This work plan should include the project(s), initiatives, and programs you plan to begin or complete. Also discuss your plan for obtaining historic preservation training in 2022. Please attach your work plan to your annual report.**

**2022 WORK PLAN** – [Note: “ACHPP” = Ames Comprehensive Historic Preservation Plan]

### **Educate the Public Concerning the Value and Benefit of Historic Preservation** [GOAL #4, ACHPP]

- Facilitate the dissemination of historic preservation information. [Objective 4.C, ACHPP]
  - Collaborate with the Ames History Museum and Iowa State University on resources and possible joint projects.
  - Involve Iowa State University students in historic preservation for the community.
- Continue with funding for training of Commission members and developing educational resources about Ames history and historic resources. [Objective 4.A, ACHPP]
  - Participate in educational opportunities afforded by the by the 2022 Preserve Iowa Summit
- Continue Historic Preservation Commission Annual Historic Preservation Awards Program, and present awards with the Mayor at a City Council meeting in April or May.
- Continue to recognize May as Preservation Month with a Proclamation by City Council.
- Seek speakers for presentations of timely preservation topics in Ames. [Objective 4.A, ACHPP]
- Seek membership in the National Alliance of Preservation Commissions.

### **Promote the Economic Development and Vitality of the City through Historic Preservation** [GOAL #6, ACHPP]

- Partner with Ames Main Street to offer a presentation on the use of tax credits available for properties in both the Old Town Historic District and the Ames Main Street Historic District. [Objective 4.A, ACHPP]
- Continue granting Certificates of Appropriateness in a timely manner. Make resources readily available (such as, handouts with illustrations [Objective 3.B.1, ACHPP]) to enable the public to be more aware and compliance more easily understood with design guidelines and design standards.

### **Enhance municipal policies to protect historic resources and implement policies through identification, effective legislation, and efficient regulatory measures.** [GOAL #3, ACHPP]

- Conduct surveys of historic resources with the support of City Council, and grant funding. [Objective 3.A & 3.A.1 & 3.C.1]
  - Continue to improve Ames inventories of historic properties through an Intensive Survey of Chautauqua Park/Ridgewood neighborhood. [Objective 3.A & GOAL #2, ACHPP]
  - Successfully complete intensive survey of Chautauqua Park/Ridgewood neighborhood by August 31, 2023.
- Work with Staff to revise the Downtown Façade Grant program to include the preservation of historic character-defining elements, as features available for funding. [GOAL #3 & Objective 3.D, GOAL #2, & Objective 6.C, ACHPP]

- Address internal inconsistencies, when identified, with updated Chapter 31 design guidelines to reflect the compatible use of new materials, technologies, and sustainability measures. [Objective 3.B.1, ACHPP]
  - Review Chapter 31 for clarity and conciseness. Explore revisions to make it more user-friendly.

**Continue to Use the Ames Comprehensive Historic Preservation Plan to Guide Annual Work Plan.**

[Objective 5.C, ACHPP]

- Review the Ames Comprehensive Historic Preservation Plan and determine next year's priorities and work plan, in November or December. [Objective 5.C.1, ACHPP]
- Obtain approval from the City Council for priorities determined by the Commission following each review of the Ames Comprehensive Historic Preservation Plan. [Objective 5.C.2, ACHPP]

Mayor's Signature Page

# Certified Local Government Annual Report

Name of Certified Local Government: \_\_\_\_\_

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*Signature of person who completed this report*

*Date*

*I certify that a representative of the historic preservation commission has attended a public meeting and presented the details of this report to the city council (city CLG) or the Board of Supervisors (county CLG).*

---

*Date of public meeting*

---

*Signature of Mayor or Chairman of the Board of Supervisors*

*Date*

---

*Printed Name of Elected Official*

***Please upload this completed form with your annual report on SlideRoom.***

***Thank you.***

**COUNCIL ACTION FORM**

**SUBJECT: GRANT AGREEMENT FOR CHAUTAUQUA PARK & RIDGEWOOD NEIGHBORHOOD INTENSIVE SURVEY**

**BACKGROUND:**

On August 24, 2021, the City Council authorized the submittal of a Certified Local Government (CLG) Grant Application to the State Historical Society of Iowa (SHSI) to fund an Intensive Survey of the Chautauqua Park & Ridgewood neighborhood (Attachment A).

An intensive survey, as the name implies, is designed to identify and describe the historic resources precisely and completely in order to support a potential nomination of the area as an historic district. It involves a thorough inspection of all historic resources identified within the survey boundaries, and detailed background research into the history of the properties, events, and people associated with them, and an evaluation of their significance. A completed intensive survey will provide a solid basis for work on a National Register nomination for the particular resource, but the survey itself does not result in a listing of an area on a historic register or make it a local landmark.

On January 6, 2022, the City received notice of the CLG grant award notice from the SHSI that the grant application was approved for funding in the amount requested, \$14,000. An in-kind match of 40% of the project budget is also required. On March 4, 2022, the City received the grant contract.

The total budget for the survey project is \$23,400, summarized as follows:

**CLG Grant Funds - \$14,000:**

These funds will cover all ISU student wages and expenses for travel, etc., to complete the required field work. ISU Students (2-3) will complete an historic context of the Chautauqua Park/Ridgewood district, complete all field work, including required photography, research all available primary source documents and complete approximately 107 inventory forms.

**City of Ames Cash Match - \$0:**

No cash match is being provided by the City

**In-Kind Match - \$9,400 estimated monetary value:**

The in-kind match will consist of volunteer time (HPC sub-committee, city staff) devoted to the project. A Planner in the Department of Planning and Housing and will function as the Project Liaison with the State.

Total Grant Funds Awarded:	14,000
City of Ames Financial Contribution:	0
<u>Time Devoted by Volunteers:</u>	<u>9,400</u>
Total Project Cost:	\$23,400

SHSI will reimburse the City for actual, necessary, and eligible costs incurred by the City as part of the project. All claims for reimbursement will include documentation of the expenses incurred under the contract.

Eloise Sahlstrom, a Planner in the Department of Planning and Housing, will be Primary Contact and serve as Project Liaison between the City and the State. Eloise will work directly with the Historic Preservation Commission (HPC) Project Manager, Mary Jo Winder. Mary Jo will be overseeing the work of the ISU student investigators and HPC volunteers. Mary Jo Winder is a retired architectural history consultant who meets the professional qualification requirements.

All grant-funded activities will be completed under the strict supervision of HPC members who meet the Secretary of the Interior's Standards and Guidelines – Professional Qualification Standards for historic preservation practice under 36 CFR Part 61 (History of/or Architectural History areas.)

The investigators for the intensive survey will be two to three ISU Students. Students will be hired following the City policies for hiring temporary staff. The student investigators will perform duties delegated by the Project Liaison and HPC Project Manager, including, but not limited to, conducting research, photographing properties, working with digital photographic files and prints, writing up architectural descriptions and historical information on surveyed properties, completing data entry for site inventory forms, and compiling electronic information into a historic resources database form for future use and distribution.

The Work Products to be completed through this project are:

- Historic Context for Chautauqua Park/Ridgewood Historic District.
- Intensive inventory forms for up to 107 properties.
- Informational meetings for property owners/residents in the project area.
- Quarterly Progress Reports: First due April 1, 2022; then every three months thereafter, until the end of the contract.
- Prepare the Research Design discussing project activities, methodology and schedule
- Historic Context for Chautauqua Park/Ridgewood Historic District
- Intensive Survey Report
- Complete Set of Iowa State Inventory Forms for approximately 107 properties
- Digital Photographs in TIFF Format (files names to correspond to site inventory number)



- Streetscape Photographs labeled with block number and street name (e.g. 200 block south side of 1st Street).
- A Photo Key for the Survey Area
- Historic Images, Site Plans, and Other Figures as necessary for each property
- Informational Meetings for property owners/residents in the project area
- Request for Reimbursement with documentation of expenditures and match
- Five Photographs of the project in progress

All products created under this grant will include acknowledgement that the activity has been financed in part with Federal funds from the National Park Service, U.S. Dept. Interior.

Tentative Project Schedule:

March 2022:	Sign contract with SHPO
March 31, 2022:	City submits 1st Progress Report to State
April 2022:	Interview and hire student investigators
May 2022:	Train student investigators and volunteers
May 2022:	Project kick-off meeting with SHPO and participants
May-June 2022:	Photography, Field Work, & Primary Source Documentation
June 30, 2022:	City submits 2nd Progress Report to State
July 2022:	Complete Historic Context
July 2022:	Complete Building Descriptions
August-September:	Complete Inventory Forms
September 30, 2022:	Submit a Draft Intensive Survey Report to SHPO City submits 3rd Progress Report to State & Request for Reimbursement [70%] = \$9,800 Match Documentation Form [hours calculated into \$\$]
October 2022:	Complete Final Photography, if needed
October 2022:	Informational Meeting for Affected Owners/Residents
November 2022:	Submit Final Intensive Survey Documents: Historic Context for Chautauqua Park/Ridgewood Hist. Dst. Intensive-Level Inventory Forms for up to 107 Properties Final Progress Report [Approval of all Products] Final Claim for Reimbursement = \$ 4,200 Final Match Documentation Form [hours calculated into \$\$]

*Last Day for Final Report, if not completed earlier - July 28, 2023*  
*Contract Termination, if not completed earlier - August 31, 2023*

**ALTERNATIVES:**

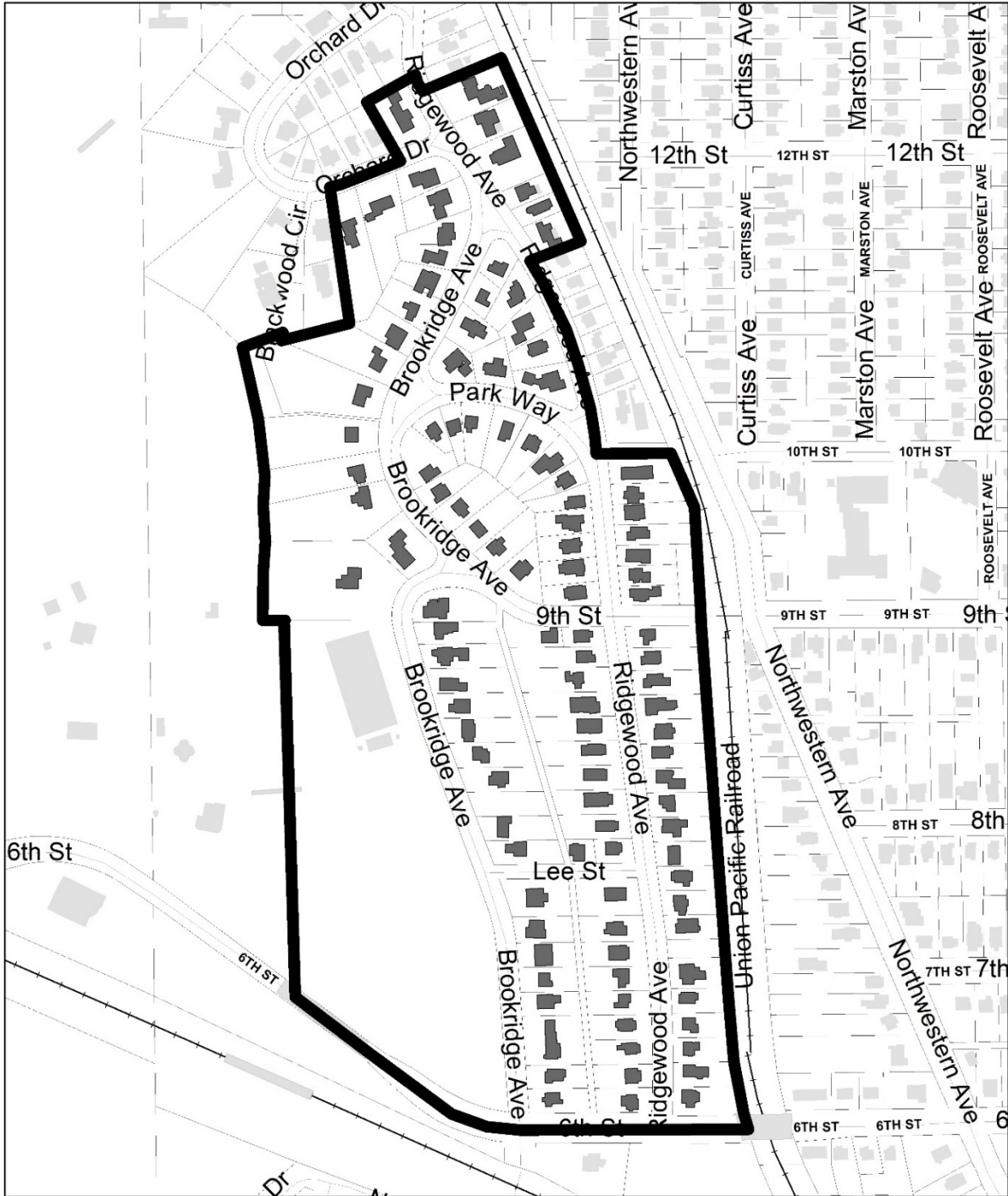
1. Approve the State Historical Society of Iowa Grant-in-Aid Agreement for the Chautauqua Park-Ridgewood Intensive Survey, Certified Local Government Grant Project.
2. Do not approve the agreement.
3. Refer this item back to City staff for additional information and/or changes.

**CITY MANAGER'S RECOMMENDED ACTION:**

This grant application is consistent with the intent of the adopted Ames Comprehensive Historic Preservation Plan and with the HPC 2022 Work Plan. No direct funds are requested from the City. The 40% in-kind match would be provided by volunteer hours primarily from Ames Historic Preservation Commissioners and City staff. The initial grant contract provided by the state identified Wendy Jo Winder as the project contact, this has been corrected with the SHSI to have Eloise Sahlstrom as the representative of the City for grant administration.

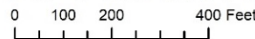
Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1.

Attachment A – Survey Area



**Chautauqua Park & Ridgewood Subdivision (So.)**

Intensive Level Survey



**COUNCIL ACTION FORM**

**SUBJECT:** 2022/23 AMES ANNUAL OUTDOOR SCULPTURE EXHIBITION

**BACKGROUND:**

The Ames Annual Outdoor Sculpture Exhibition (AAOSE), the longest running program for the Public Arts Commission (PAC), will celebrate its 26th annual downtown exhibition in 2022. Through this program, artists submit sculptural entries to be displayed in Downtown Ames from May 2022 through April 2023. At the conclusion of the display, sculptures are available for purchase by private individuals or by PAC through the Neighborhood Sculpture Program. This year, 36 AAOSE entries were received from 17 artists.

The entries were evaluated by a jury of Ames residents who then made their recommendations to PAC. **The jurors selected eight sculptures to be displayed.** They also identified three alternates in case selected sculpture(s) would become unavailable. PAC approved the recommendations and alternates at a special meeting on March 15, 2022.

Attached are photographs and descriptions of the sculptures recommended for the 2022-23 AAOSE. Installation of the exhibit will take place in April after consultation with businesses near the proposed sites and further risk analysis by City staff.

Artists will be paid a \$2,000 honorarium for each selected sculpture, and a Best-in-Show award of \$1,000 will be made to a winner determined by the public, for a total expenditure of \$17,000. The honorarium and Best-in-Show award amounts have been doubled by PAC compared to the amounts in the previous year; however, the net cost increase is only \$2,500, since during the 25<sup>th</sup> anniversary of AAOSE in 2021/22 there were 14 sculptures exhibited for a total cost of \$14,500. Therefore, the net increased cost for the program is \$2,500. All expenses will be paid for through the PAC budget. Funding for the AAOSE exhibition was included in the 2021-22 City Budget for the Public Art Commission.

**ALTERNATIVES:**

1. Authorize PAC to enter into agreements with artists for the exhibition of sculptures and make honorarium payments.
2. Do not approve the agreements.

**CITY MANAGER'S RECOMMENDED ACTION:**

This annual program allows for works of art to be displayed throughout the City. This program aligns with the City Council's value of a fun, vibrant community that attracts and retains people.

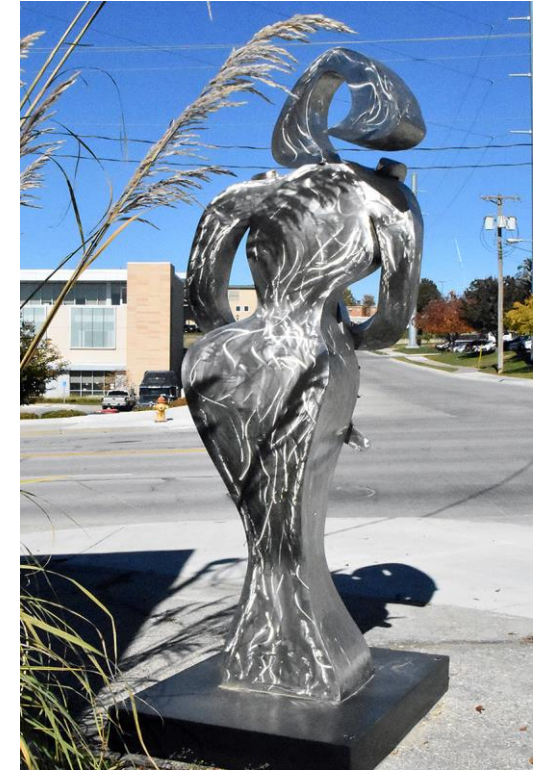
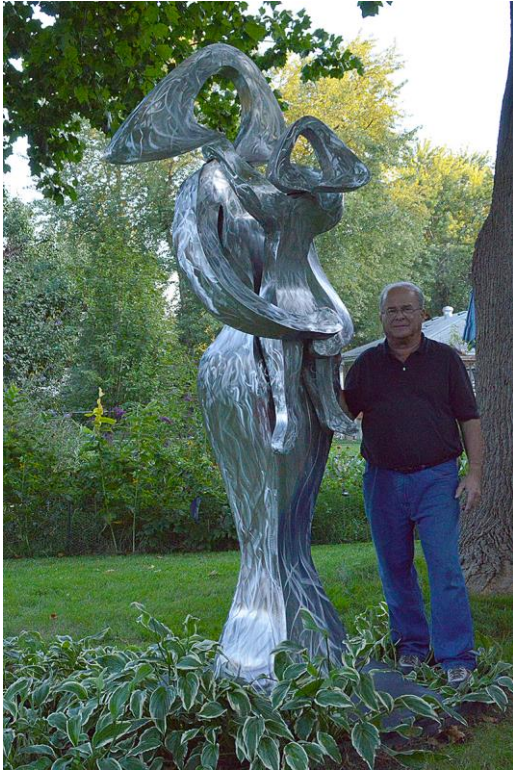
Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.



AMES ANNUAL  
OUTDOOR SCULPTURE  
EXHIBITION SELECTIONS

2022-2023





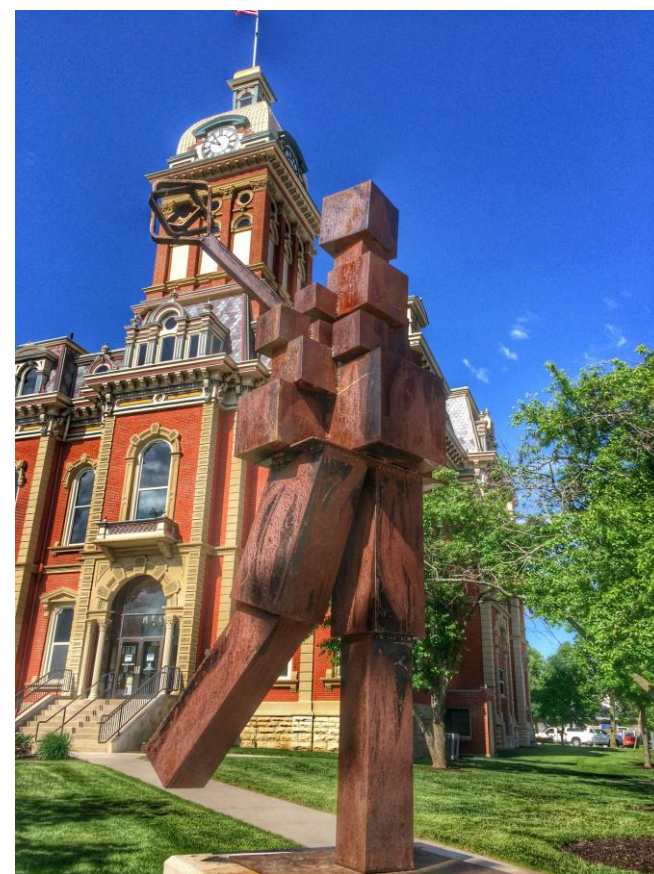
# Albert Rhea

Papillion, NE

## Parent and Child

- Dimensions: Unspecified (base measures 18"x16")
- Media: Stainless Steel
- Weight: 185 lbs
- Year: 2019
- Value: \$9,500





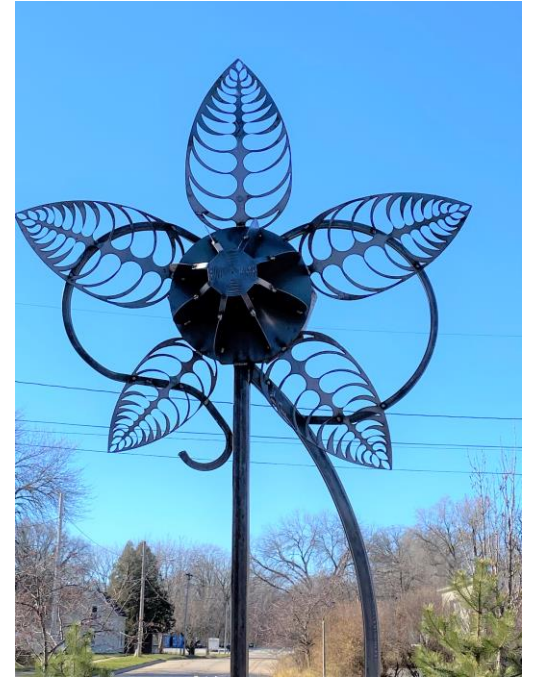
# Craig Snyder

Plymouth, MN

## Cube Farmer

- Dimensions: 8'x5'x3'
- Media: Steel
- Weight: 350 lbs
- Year: 2018
- Value: \$8,200





# Tim Adams

Webster City, IA

## Symmetry

- Dimensions: 10'x4'x5'
- Media: Upcycled Steel
- Weight: 250 lbs
- Year: 2022
- Value: \$5,000





# Hilde DeBruyne

Cumming, IA

## Blue Wings

- Dimensions: 6'x4'x3'
- Media: Mild Steel
- Weight: 150 lbs
- Year: 2019
- Value: \$9,000



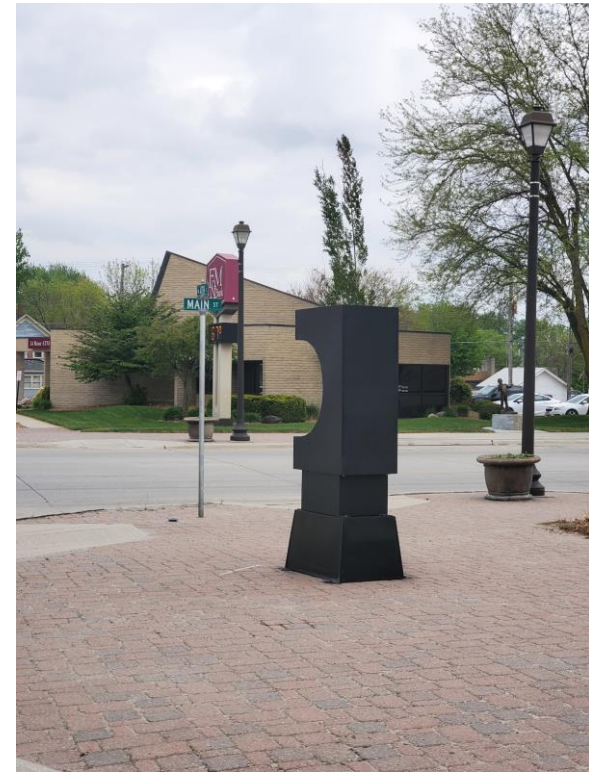
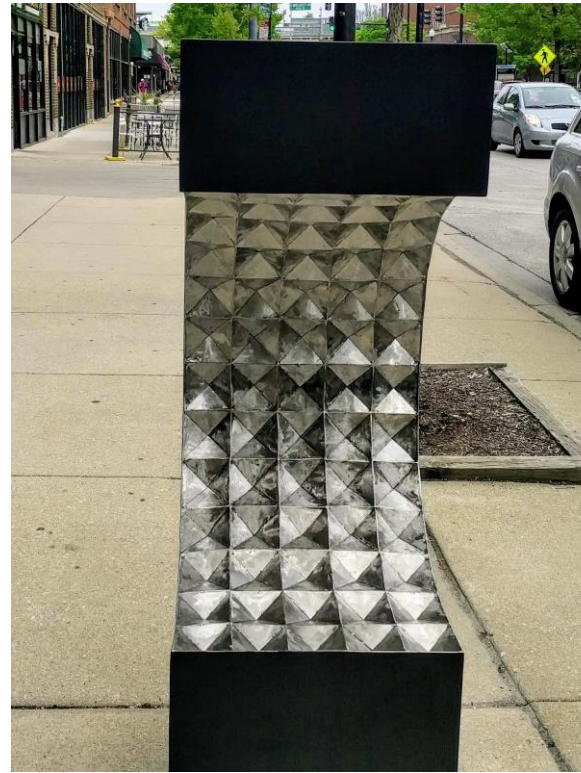
# Zach Bowman

Ankeny, IA

## Heartbeat of the Heartland

- Dimensions: 10'x6'x7'
- Media: Stainless and Mild Steel
- Weight: 200 lbs
- Year: 2017
- Value: \$6,500





# Sung-Hee Min

Roseville, MN

## Arc C

- Dimensions: 80"x19"x30"
- Media: Stainless Steel and Steel
- Weight: 120 lbs
- Year: 2019
- Value: \$10,000





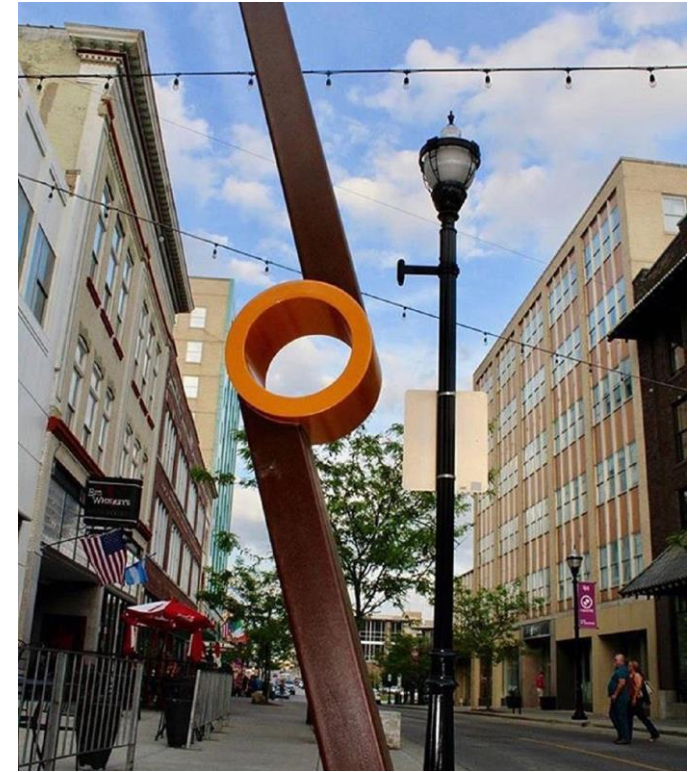
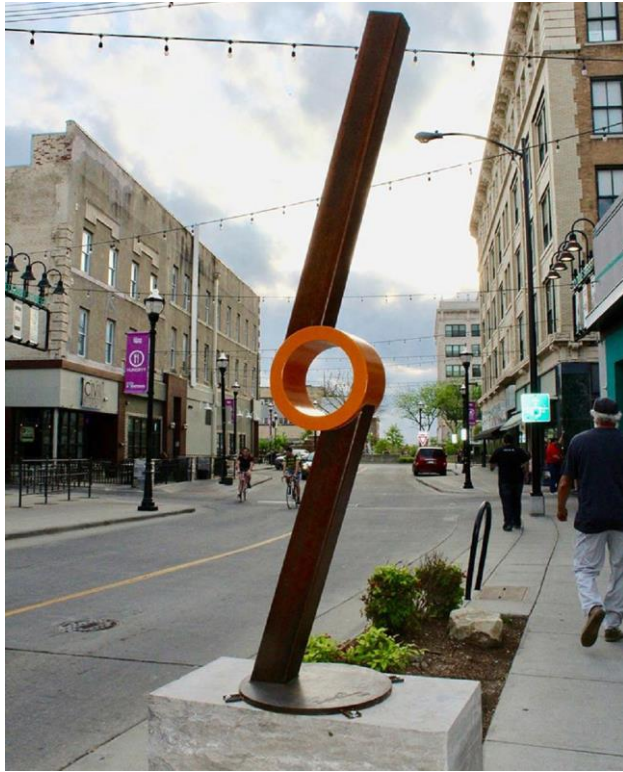
# John Kamrath

Mahtomedi, MN

## Twist

- Dimensions: 9'x3'x2'
- Media: Steel
- Weight: 200 lbs
- Year: 2021
- Value: \$9,000





# Ben Pierce

Cape Girardeau, MO

## Propensity

- Dimensions: 9'x3'x3'
- Media: Steel and Paint
- Weight: 800 lbs
- Year: 2015
- Value: \$7,500



# ALTERNATES

In Numbered Order





# Gail Chavenelle

Dubuque, IA

## Flushing Mallards

- Dimensions: 7'x29"x18"
- Media: Steel Plate w/ Baked on Powder Coat
- Weight: 200 lbs
- Year: 2021
- Value: \$8,500





# Damian Radice

Grand Junction, CO

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## Discussion Group

- Dimensions: 34"x24"x14"
- Media: Bronze
- Weight: 120 lbs
- Year: 2022
- Value: \$3,800



# Steven W. Maeck

Burr Oak, IA

## Crazy Eight

- Dimensions: 7'4"x2'11"x2'11"
- Media: Welded Steel
- Weight: 750 lbs
- Year: 2017
- Value: \$19,500

**COUNCIL ACTION FORM**

**SUBJECT: REQUEST FROM DELLA VITI (323 MAIN STREET) TO ALLOW ALCOHOL SERVICE AT A SIDEWALK CAFÉ**

**BACKGROUND:**

In 2017, the City Council adopted new regulations regarding Sidewalk Cafés. These regulations allow for alcohol service in certain circumstances. Establishments that, under Section 17.16 of *Municipal Code*, may allow minors on the premises are permitted to serve alcohol at their sidewalk cafés without prior special approval. These applications are approved by staff as long as the applicant obtains the appropriate Outdoor Service Privilege for its license. **Establishments that are not allowed to have minors on the premises under Section 17.16 of *Municipal Code* must request approval from the City Council to serve alcohol at their sidewalk cafés.**

Della Viti (323 Main Street) has submitted a request to implement a sidewalk café and serve alcohol at it. This establishment has received Council approval to operate a sidewalk café with alcohol sales annually since the 2017 sidewalk café season. Della Viti has a Class C Liquor License and, because a majority of its sales come from selling alcoholic beverages, may not have minors on the premises according to Section 17.16 of *Municipal Code*. Therefore, approval from the City Council is required to allow alcohol service at its proposed sidewalk café.

The sidewalk café regulations call for the City Council to consider requests from establishments in Della Viti's situation on a case-by-case basis. The Code specifies that the City Council shall consider the following factors when presented with a request:

1. **Site Conditions** – Della Viti's proposed site is open and unobstructed by existing street furniture, utility accesses, or other equipment. The proposed sidewalk café will utilize four tables and will take up five and a half feet of the 13-foot sidewalk. There is a large window in the front of the establishment that will allow staff to monitor the entire sidewalk café from inside the building. Della Viti has indicated a staff person will be dedicated to monitoring the sidewalk café.
2. **Compliance History/Staff Training** – A review of Police records indicates no liquor or nuisance violations in the past at Della Viti. According to the applicant, three of the four staff members have participated in I-PACT (Iowa Program for Alcohol Compliance Training), the fourth staff member is scheduled to go through I-PACT soon. The applicant has stated that in-house training continues to be conducted with staff when they are hired, which includes ID checking. Additionally, it is a policy to take IDs from every patron who enters the premises in exchange for a card which operates the wine-dispensing system.

3. **Other Factors the Council Deems Relevant** – During the review of previous requests from Della Viti, the City Council did not identify other factors to consider when weighing whether to grant approval for requests of this type. Should the City Council have specific concerns, staff could request additional information from the applicant before the Council moves forward with approving or denying the request.

In addition to the above three specific issues the Council must take into consideration with this request, the *Municipal Code* requires that any sidewalk café at which alcohol is served must operate with additional restrictions compared to those where alcohol is not served. The additional, required restrictions that would apply to Della Viti are:

- Patron ingress and egress shall be controlled and continually monitored by staff
- No alcoholic beverages may be sold or served later than 10 p.m.
- Patrons may not consume outside beverages on the premises

Finally, the *Municipal Code* empowers the City Council to impose special conditions on any sidewalk café granted an exception to dispense alcohol if it feels such restrictions are appropriate. No conditions were imposed by the Council in granting previous approvals for Della Viti.

**Upon staff review of the application materials, the application appears complete and in order. Della Viti's current Outdoor Service Privilege is valid through June 17, 2022. Because holding the appropriate liquor control license is a pre-requisite to allow alcohol service at a sidewalk café, Council approval of Della Viti's request to serve alcohol must be made subject to maintaining an Outdoor Service Privilege if it would like to continue providing alcohol service at its sidewalk café during the second half of the 2022 Sidewalk Café season.**

#### **ALTERNATIVES:**

1. Approve the request from Della Viti to allow alcohol service at its sidewalk café during the 2022 sidewalk café season, subject to Della Viti maintaining its Outdoor Service Privilege.
2. Refer the request to staff for additional information.
3. Deny the request.

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

It is important to ensure that alcohol service in public places occurs in an appropriate environment. Municipal Code requires a higher level of scrutiny for establishments where alcohol service is taking place and there is little to no food service, as compared to establishments where alcohol is ancillary to the food service.

In this instance, the establishment has an exceptional compliance record, and has adopted procedures that maintain a safe, controlled environment where alcohol is served. The establishment has participated in additional training for its staff to maintain compliance. The application for the sidewalk café indicates a proposed outdoor service area that can be easily monitored and that does not attempt to overcrowd the area. The applicant has responded cooperatively to requests for additional information and appears to have a good understanding of the requirements in place for compliant service.

**It should be noted that the alternatives presented indicate approval is for only the 2022 sidewalk café season (April through October, according to *Municipal Code*).** Sidewalk café applications must be completed anew each season; they do not carry over from year-to-year. This follows the practice established with approval of previous requests for alcohol service at sidewalk cafes. Requiring new requests each year ensures an opportunity to review performance and impose special conditions or withhold approval if the establishment fails to meet the Council's expectations.

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

**COUNCIL ACTION FORM**

**SUBJECT: REQUEST FROM NOIR (405 KELLOGG AVENUE) TO ALLOW ALCOHOL SERVICE AT A SIDEWALK CAFÉ**

**BACKGROUND:**

In 2017, the City Council adopted new regulations regarding Sidewalk Cafés. These regulations allow for alcohol service in certain circumstances. Establishments that, under Section 17.16 of *Municipal Code*, may allow minors on the premises are permitted to serve alcohol at their sidewalk cafés without prior special approval. These applications are approved by staff as long as the applicant obtains the appropriate Outdoor Service Privilege for its license. **Establishments that are not allowed to have minors on the premises under Section 17.16 of *Municipal Code* must request approval from the City Council to serve alcohol at their sidewalk cafés.**

Noir (405 Kellogg Avenue) has submitted a request to implement a sidewalk café and serve alcohol at it. This is the first time the City has received a request from this establishment for a sidewalk café. Noir has a Class C Liquor License and, because a majority of its sales come from selling alcoholic beverages, may not have minors on the premises according to Section 17.16 of *Municipal Code*. Therefore, approval from the City Council is required to allow alcohol service at its proposed sidewalk café.

The sidewalk café regulations call for the City Council to consider requests from establishments in Noir's situation on a case-by-case basis. The Code specifies that the City Council shall consider the following factors when presented with a request:

1. **Site Conditions** – Noir's proposed site contains sufficient room without obstructions to facilitate the proposed set of three tables and six chairs. The proposed sidewalk café will be permitted to take up no more than 5.5 feet of the 11-foot sidewalk.
2. **Compliance History/Staff Training** – A review of Police records indicates no liquor or nuisance violations since the opening of Noir. The establishment passed the most recent alcohol compliance check. According to the applicant, most of the service staff has participated in I-PACT (Iowa Program for Alcohol Compliance Training), and others have taken ServeSafe training. All employees are re-certified every two years. The establishment has a policy to check IDs for any customer who appears under 40 years of age. Police records indicate none of the establishment's staff has participated in the Police Department ID card training.

3. **Other Factors the Council Deems Relevant** – During the review of similar requests, the City Council has not identified other factors to consider when weighing whether to grant approval for requests of this type. Should the City Council have specific concerns, staff could request additional information from the applicant before the Council moves forward with approving or denying the request.

In addition to the above three specific issues the Council must take into consideration with this request, the *Municipal Code* requires that any sidewalk café at which alcohol is served must operate with additional restrictions compared to those where alcohol is not served. The additional, required restrictions that would apply to Noir are:

- Patron ingress and egress shall be controlled and continually monitored by staff
- No alcoholic beverages may be sold or served later than 10 p.m.
- Patrons may not consume outside beverages on the premises

Finally, the *Municipal Code* empowers the City Council to impose special conditions on any sidewalk café granted an exception to dispense alcohol if it feels such restrictions are appropriate.

Upon staff review of the application materials, the application appears complete and in order. Noir does not currently have an Outdoor Service Privilege on file. Because holding the appropriate liquor control license is a pre-requisite to allow alcohol service at a sidewalk café, Council approval of Noir's request to serve alcohol must be made subject to obtaining and maintaining an Outdoor Service Privilege throughout the 2022 Sidewalk Café season.

**ALTERNATIVES:**

1. Approve the request from Noir to allow alcohol service at its sidewalk café during the 2022 sidewalk café season, subject to Noir obtaining and maintaining its Outdoor Service Privilege.
2. Approve the request as described in Alternative #1, but require Noir staff to complete Police Department ID card training within the next 90 days as a condition of ongoing approval.
3. Deny the request.

**CITY MANAGER'S RECOMMENDED ACTION:**

It is important to ensure that alcohol service in public places occurs in an appropriate environment. Municipal Code requires a higher level of scrutiny for establishments where alcohol service is taking place and there is little to no food service, as compared to establishments where alcohol is ancillary to the food service.

In this instance, the establishment has an exceptional compliance record, and has adopted procedures that maintain a safe, controlled environment where alcohol is served. The application for the sidewalk café indicates a proposed outdoor service area that can be easily monitored and that does not attempt to overcrowd the area.

**It should be noted that the alternatives presented indicate approval is for only the 2022 sidewalk café season (April through October, according to *Municipal Code*).** Sidewalk café applications must be completed anew each season; they do not carry over from year-to-year. This follows the practice established with approval of previous requests for alcohol service at sidewalk cafes. Requiring new requests each year ensures an opportunity to review performance and impose special conditions or withhold approval if the establishment fails to meet the Council's expectations.

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 SCADA SYSTEM SUPPORT SERVICE**

**BACKGROUND:**

Electric Services uses a Supervisory Control and Data Acquisition (SCADA) System to monitor status and to control power flows, electric generation, interconnections to neighboring utilities, distribution, and transmission. Data from the SCADA is also used as the basis for billing energy transactions.

The existing SCADA system was installed in 2000 and has had routine software updates about every 2 years. In 2008, 2015, and 2020 the hardware, operating system, and software were all upgraded. The SCADA system was supplied and is supported by Open Systems International, Inc. (OSI) from Medina, MN, and the software is based on Microsoft “.NET” technology. Advancements have continued to be made to the software to meet changing industry standards and regulations. **The City has historically entered into a support services agreement with OSI to keep pace with those changes and to provide maintenance services at a reasonable price.**

The last three years, the Power Plant has been operating under a contract with OSI that provided required software upgrades and a support service plan consisting of the top level of reliability and maintainability support that OSI offers. Before the most recent contract, the Power Plant would continually have the top plan OSI offers, the Diamond Support Plan. This plan would give the Power Plant all the support benefits needed including the following:

- 24/7 Support for OSI provided products and software. This includes anything from simple help desk questions to major system issues.
- Access to online training typically two times per month. Cost without a support plan is \$175 per class per person.
- Engineering/Installation costs for an annual software upgrade. This saves approximately \$20,000-40,000 each occurrence.

Staff has looked at downgrading to the Gold Support Plan, which provides all the benefits of the Diamond Support Plan except the annual software upgrade. Staff believes a software upgrade is only needed every other year. Therefore, options were explored with OSI to switch between the Gold Support Plan and the Diamond Support Plan every other year in order to take advantage of the reduced cost for the software upgrade. **OSI has agreed to this approach if the City would enter into a multi-year agreement.** OSI

would also provide an additional discount as part of a multi-year agreement. The finance details are shown below:

<b>YEAR</b>	<b>PLAN LEVEL</b>	<b>COST</b>
2022/23	Monarch Support Diamond	\$110,626
2023/24	Monarch Support Gold	67,269
2024/25	Monarch Support Diamond	116,227
2025/26	Monarch Support Gold	70,675
<b>Sub-Total</b>		<b>\$364,797</b>
<b>Multi-Year Commitment Discount</b>		<b>(43,776)</b>
<b>Four-Year Total</b>		<b>\$321,021</b>

The total cost of \$321,021 would be billed in 1/4 installments of \$80,255.25 at the beginning of each fiscal year.

**Because the support for the SCADA system can only be provided by OSI, staff is requesting that the City Council waive the City’s Purchasing Policies requiring formal competitive bids, and award a contract to Open Systems International, Inc., of Medina, MN in the amount of \$321,021.00 for the four-year commitment.**

The FY 2022/23 operating budget includes \$120,000 for SCADA system services, repairs, and training. Future budget years will contain \$80,255.25 for each year this contract. The contract with OSI contains a non-appropriation clause to allow for cancelation if funding is not available in future years.

**ALTERNATIVES:**

1. Waive the City’s purchasing policy requirement for formal bidding procedures and award a contract to Open Systems International, Inc., Medina, MN, for the Monarch Support (Diamond/Gold/Diamond/Gold) for a four-year term for SCADA in the amount of \$321,021.00.
2. Discontinue the Support Service completely and adopt a “pay as you go” approach for SCADA services, training and upgrades.

**CITY MANAGER'S RECOMMENDED ACTION:**

Regulatory authorities require the Electric Utility to maintain a functional SCADA system. In addition, it is in the City’s best interest to maintain the SCADA system with the most up-to-date software, and to do this in a timely and cost-effective manner. The most effective way to maintain the SCADA system is to continue a Support Plan with our existing SCADA software supplier that will alternate between the Gold and Diamond support plans.

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

**COUNCIL ACTION FORM**

**SUBJECT:** LEASE AMENDMENT WITH T-MOBILE

**BACKGROUND:**

In December 1996, the City entered into an agreement with Western PCS (subsequently, Western Wireless, subsequently Iowa Wireless Services, subsequently T-Mobile doing business as iWireless, now T-Mobile Central, LLC) where space on top of the Bloomington Road Elevated Tank (BRET) was leased for the purpose of placing and operating cellular phone antennas. The lease also granted space adjacent the water tower on the ground for the placement of equipment.

The lease periodically renews in five-year increments, provided both parties are agreeable, with the monthly rental rates adjusting using a formula based on changes to the CPI. The rent was last adjusted in January 2022, and is now \$2,011.36 per month.



Periodically, cellular companies desire to replace or upgrade their equipment. When those requests include an expanded footprint, either on the ground or on top of the tank, the rental rate is renegotiated with the cellular company. If the work does not expand the footprint or does not alter any of the other terms of the underlying master lease, then the improvements are approved without modifying the monthly rent. Because the lease includes descriptions of the equipment installed, an amendment to the lease is still executed when there are changes to update the attachments to reflect the current equipment present on the site.

Like many infrastructure entities, T-Mobile desires to install emergency standby power for its antennas on BRET. The drawings provided by T-Mobile show the standby generator located entirely within the existing fenced space already leased by T-Mobile. There would be no increase in the space consumed by adding the equipment, and it would not appreciably increase or complicate the City's operation and maintenance of the tank. The specifications for the fuel tank include a requirement for spill containment at the fill port, and that the tank be an above-ground, double-walled tank with an interstitial leak detection gauge. City staff has added a requirement that places an upper limit on the size of the tank.

The proposed improvements have already been reviewed and approved by the Planning and Housing Department, and T-Mobile is prepared to apply for the appropriate building permits.

**ALTERNATIVES:**

1. Approve the amendment to the lease agreement with T-Mobile to authorize the installation of an emergency standby generator to be installed adjacent to T-Mobile's existing infrastructure located at the Bloomington Road Elevated Tank.
2. Do not approve the lease amendment at this time.

**CITY MANAGER'S RECOMMENDED ACTION:**

Cellular phone infrastructure is important for citizens and the City, especially during emergency events. Increasing the resiliency of cell service is something the City supports. The improvements will have no material impacts on the use of the property for finished water storage, and staff have given their approval to the proposed improvements.

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

ITEM#: 14  
DATE: 03-22-22

**COUNCIL ACTION FORM**

**SUBJECT: 2022 ELECTRIC RELIABILITY PLAN**

**BACKGROUND:**

Electric Services manages its inspection and maintenance efforts under an adopted reliability plan that has been filed with the Iowa Utilities Board. Historically, such plans were prepared and approved at the City staff level.

The Iowa Utilities Board has recently adopted changes to its administrative code (IAC 199-27.10) and now requires each municipal electric utility to have its adopted reliability plan approved by their respective governing authority, prior to filing updates to its existing plans. Therefore, Electric Services is requesting Council to approve its adopted Reliability Plan to satisfy this IUB requirement.

Staff has prepared a Reliability Plan statement, using guides and reference material provided by the Iowa Association of Municipal Utilities (IAMU). The proposed Reliability Plan statement is attached for reference.

**ALTERNATIVES:**

1. Approve the adoption of the 2022 Electric Reliability Plan statement.
2. Do not approve the 2022 Electric Reliability Plan statement.
3. Request further information from staff.

**CITY MANAGER'S RECOMMENDED ACTION:**

Iowa Administrative Code now requires the approval of the Electric Utility's Electric Reliability Plan by the City Council. City staff has prepared this statement using reference materials supplied by IAMU to ensure compliance.

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



Wednesday, February 17, 2022

## City of Ames Reliability Plan

The City of Ames strives to deliver safe, reliable and affordable power to its customers. While this reliability plan focuses on information pertinent to reliability, other considerations cannot be overlooked in balancing the needs of the customers with the business decisions of the system's managers. The purpose of this reliability plan is to meet the requirements of Iowa Administrative Code 199-27.10(3) (g). This reliability plan does not replace, but merely supplements, information provided to the utility's governing authority throughout the year. This plan has been signed off on by the governing authority of the City of Ames along with reliability data for the purpose of detailing the utility's progress in achieving certain strategic objectives as outlined in its strategic plan. This plan was prepared for the reporting period of January 1, 2022, through December 31, 2022. During 2021, customers were able to contact the City of Ames 24 hours a day, 7 days a week through an after-hours telephone number. Customers were able to timely report service interruptions and other problems they experienced with electric service through clearly defined communication channels.

The City of Ames reliability plan represents an integrated approach addressing the operation, maintenance, and inspection of the electric system. Providing safe, reliable, and affordable electric service to meet the needs of customers requires an intricate balance and consideration of all the above as well as the resources available to achieve results. The City of Ames made reasonable efforts to avoid and prevent service interruptions during the last year. However, when interruptions occurred, service was reestablished within the shortest time practicable, consistent with safety.

The City of Ames has an effective preventive maintenance program and is capable of emergency repair work on an appropriate scale to its scope of operations and to the physical condition of its electric facilities. This program is included in our vegetation, substation, and visual inspection plans. To improve its effectiveness, these plans are reviewed yearly. Quality of work and final delivery by contractors are also assessed. The City of Ames continues to follow a written program for inspecting and maintaining its electric supply lines and substations in order to determine the necessity for replacement, maintenance and repair, and for tree pruning or other vegetation management. The City of Ames is currently following a schedule for this written program to assure the completion of all areas within a 36 months timeline.

The City of Ames assesses the status of its distribution line equipment including animal guarding and pole mounted power factor correction equipment. The City of Ames models and compares consumption metrics during peak load, non-peak load and warm and cold conditions to issue maintenance jobs based on these assessments and conditions. The City of Ames also installs lightning arresters at appropriate locations on distribution line equipment to reduce outages and protect equipment and inspects them annually using infrared and visual inspections.

The City of Ames has a program of complete pole inspection, with the complete system scheduled to be completed on a 10-year cycle including both overhead and groundline conditions. The program consists of a complete inspection of the poles over 10 years of age and a report on all rejected poles that are to be replaced. Poles are generally replaced within six months following inspection. Besides these two inspections, The City of Ames also conducts a Visual Inspection on all transmission poles every fiscal year.

**COUNCIL ACTION FORM**

**SUBJECT: REQUEST TO MODIFY FY 2021/22 ASSET ALLOCATION TO CHILDSERVE**

**BACKGROUND:**

ChildServe has submitted a request to the City to modify its FY 2021/22 ASSET allocation by transferring \$6,000 from the Daycare – Infant program to Daycare – Children (2 – 5 year old) program. ChildServe has exhausted its allocation of funds for the Daycare – Children program due to higher than anticipated utilization of that program. City funds allocated to the Daycare – Infant program have not been drawn down at all due to lower than anticipated utilization.

The revised allocations appear in the table below.

<b>Service</b>	<b>Original Allocation</b>	<b>Change</b>	<b>Revised Allocation</b>
Daycare – Infant	\$ 6,000	- \$6,000	\$ 0
Daycare – Children	15,000	+ 6,000	21,000
TOTAL	\$21,000	\$ 0	\$21,000

If the request to transfer funds to the Children program is approved, the unit rates of both programs will remain unchanged. The number of units purchased will increase for the Children program and none will be provided for the Infant program since that allocation would be transferred in its entirety to the Children program. ChildServe will be able to draw down Children units already provided during this fiscal year but which have not been paid because City funds have been exhausted in the Children program since January 2022.

ChildServe has made similar requests to transfer City funds in the past. This type of request is not unusual as the number of families with children requiring financial assistance fluctuates.

**ALTERNATIVES:**

1. Approve the request to modify the City’s FY 2021/22 ASSET contract with ChildServe by transferring \$6,000 from Daycare – Infant to Daycare – Children.
2. Do not approve the request.



**CITY MANAGER’S RECOMMENDED ACTION:**

ChildServe submits its budget to ASSET based on estimates of the number of children needing assistance. Due to an increased demand for Daycare – Children this fiscal year, ChildServe is requesting that funds be transferred from the Infant program to the Children program.

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



March 15, 2022

City Managers Office  
515 Clark Avenue  
Ames, Iowa 50010

To whom this may concern:

I am writing to request a change in the allocation for ASSET funds approved for day care services. City funds have been used as follows from July 2021 through January 2022.

Service	\$Approved	\$ Spent	\$Balance
Dary Care-Infant	\$6,000.00	\$0	\$6,000
Day Care-children	\$15,000.00	\$15,000.00`	\$0

We have experienced higher than anticipated utilization for children 2-5 years of age and lower than anticipated for infants 0-24 months of age. As a result I am requesting that \$6,000.00 be reallocated from Day Care-Infant to Day Care-Children to assure that funds are available through the end of the fiscal year for the children using the city ASSET funds. This does not change the total amount of funds requested and approved. We will have expended the funds approved for Day Care Children from the other ASSET funding agencies by the end of the year.

We currently continue to serve 4 Day Care-Children who will need funding from February through June 2022. All of these children reside in Story County.

Thank you for your consideration of this request.

Sincerely,

Rachelle Flory  
Ames Program Manager

**COUNCIL ACTION FORM**

**SUBJECT: REQUEST TO MODIFY FY 2021/22 ASSET ALLOCATION TO HEARTLAND SENIOR SERVICES**

**BACKGROUND:**

Heartland Senior Services (HSS) has submitted a request to the City to modify its FY 2021/22 ASSET allocation by transferring \$16,912 from Congregate Meals and \$23,012 from Activity and Resource Center to the Home Delivered Meals (HDM) program. HSS has exhausted its City allocation of funds for HDM due to ongoing ramifications of the COVID-19 Pandemic that continue to increase program participation. HSS reports that prior to the Pandemic, they averaged 125 meal deliveries per day. That number increased during the Pandemic to 200 per day, and in March 2022, HSS is experiencing yet another increase to 250 meal deliveries per day.

HSS re-opened the Activity and Resource Center and the Congregate meal site in July 2021, but needed to close these services again in December 2021 because of the omicron variant. HSS anticipates both of these programs having minimal participation for the remainder of the current fiscal year.

The revised allocations appear in the table below.

<b>Service</b>	<b>Original Allocation</b>	<b>Change</b>	<b>Revised Allocation</b>
Activity/Resource Center	\$40,080	- \$23,012	\$17,068
Congregate Meals	25,134	- 16,912	8,222
Home Delivered Meals	16,472	+ 39,924	56,396
<b>TOTAL</b>	<b>\$81,686</b>	<b>\$ 0</b>	<b>\$81,686</b>

If the request to transfer funds to the HDM program is approved, the unit rates of all three programs will remain unchanged. The number of units purchased will increase for the HDM program and a reduction will occur for the Congregate Meals and Activity and Resource Center since the remaining amounts would be transferred in their entirety to the HDM program. **HSS will be able to draw down HDM units already provided during this fiscal year but which have not been paid because City funds have been exhausted since December 2021 in the HDM program.**

**ALTERNATIVES:**

1. Approve the request to modify the City's FY 2021/22 ASSET contract with HSS by transferring \$16,912 from Congregate Meals and \$23,012 from Activity and Resource Center to Home Delivered Meals.
2. Do not approve the request.

**CITY MANAGER'S RECOMMENDED ACTION:**

Heartland Senior Services has proactively adjusted its nutrition services throughout the COVID-19 Pandemic by addressing the demand for Home Delivered Meals. The transferring of City funds will provide the support for this continued need in the community. Similar requests have been made to other ASSET funders, specifically Story County and United Way of Story County.

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

March 22, 2022

Honorable Mayor John Haila and City Council Members:

On behalf of our Board of Directors, we respectfully request that the City transfer \$23,012 from Activities and \$16,912 from Congregate Meals to Meals on Wheels. These transfers in ASSET funding would total \$39,924.

This request is being made in response to the ongoing ramifications of the pandemic. Although we began offering Congregate Meals and Activities in July 2021, these two programs were placed on hold again due to the omicron variant in December 2021. Further, we anticipate they will receive minimal participation the balance of this fiscal year.

In contrast – due to the omicron variant - Meals on Wheels participation has continued to increase. Prior to the pandemic deliveries totaled 125/day, a year into the pandemic deliveries totaled 200/day, and in March 2022 this number now totals 250/day. The majority of seniors that were attending Congregate Meals receive Meals on Wheels.

It should be noted, in direct response to the number of seniors in need of receiving Meals on Wheels, the funding the City authorized for FY21/22, \$78,324, was drawn-down in December 2021.

Thank you for considering this request. If you need additional information please contact me.

Sincerely,

*Nancy*

Nancy Carroll  
Executive Director

*HSS Mission: Heartland Senior Services of Story County offers life-enriching opportunities for older adults and provides support for their families and caregivers.*

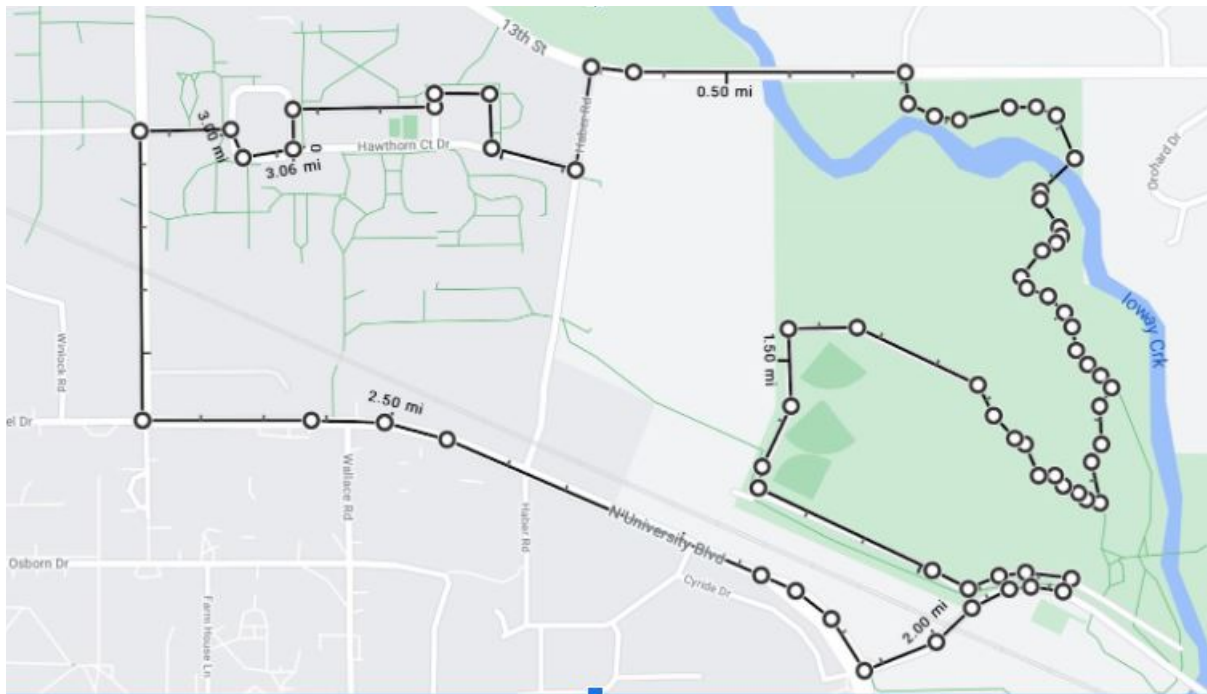
**COUNCIL ACTION FORM**

**SUBJECT:**               **REQUESTS FOR FREDDY FUN RUN**

**BACKGROUND:**

Frederiksen Court Community Center has submitted plans to host Freddy Fun Run this spring. Freddy Fun Run will take place from 9:30 a.m. to 11:30 a.m. on Saturday, April 23. Approximately 225 people are anticipated to attend.

The race route will begin in Frederiksen Court heading east, will cross to the east side of Haber Road and utilize the shared-use path towards 13<sup>th</sup> Street. Runners will use the shared use path on 13<sup>th</sup> Street towards the east and will follow the path into Brookside Park. At 6<sup>th</sup> Street, runners will be on the road in a coned-off portion of the street and will continue west onto University Boulevard in the street. At Stange Road, runners will return to the shared-use path back to the beginning of the 5K route.



Traffic will be temporarily stopped at intersections to allow groups of runners to pass through. To facilitate this event, closure of portions of 6<sup>th</sup> Street are required, along with a blanket Temporary Obstruction Permit. The University Boulevard portion of the street closures is under the jurisdiction of ISU, so no Council action is required to authorize the lane closure on that roadway.

A rain date of April 24 has been requested for this event. Insurance for this event is provided through the University.

**ALTERNATIVES:**

1. Approve the requests to:
  - a. Close portions of 6<sup>th</sup> Street from 9:30 a.m. to 11:30 a.m.
  - b. Apply a blanket Temporary Obstruction Permit to temporarily stop traffic at intersections to allow groups of runners to pass through.
2. Deny the requests.

**CITY MANAGER'S RECOMMENDED ACTION:**

ISU Frederiksen Court Community along with ISU affiliated organizations are sponsoring this 5K run/walk to promote fitness and sustainability for ISU students. They are highly dependent upon City approval of street closures so the event can be offered in a safe and smooth manner.

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

Dear Ames Mayor and City Council Members,

We, the Freddy 5K Planning Committee, are writing to request street closures for a Frederiksen Court 5K Run/Walk to be held on April 23<sup>rd</sup> of 2022. The streets for closure would include the following:

- 13<sup>th</sup> Street (from the intersection with Haber Road to the entrance of the Furman Aquatic Center)
- 6<sup>th</sup> Steets (intersection at N University Blvd to the entrance of Brookside Park)
- N University Blvd (intersection of 6<sup>th</sup> street to the intersection with Stange Road)
- Stange Road (intersection of N University Blvd to Wanda Daley Dr.)

We would like to request the closure of the roads to begin at 9:30 AM and conclude at 11:30 am.

We appreciate your time and consideration, and you can reach us at the following email addresses:

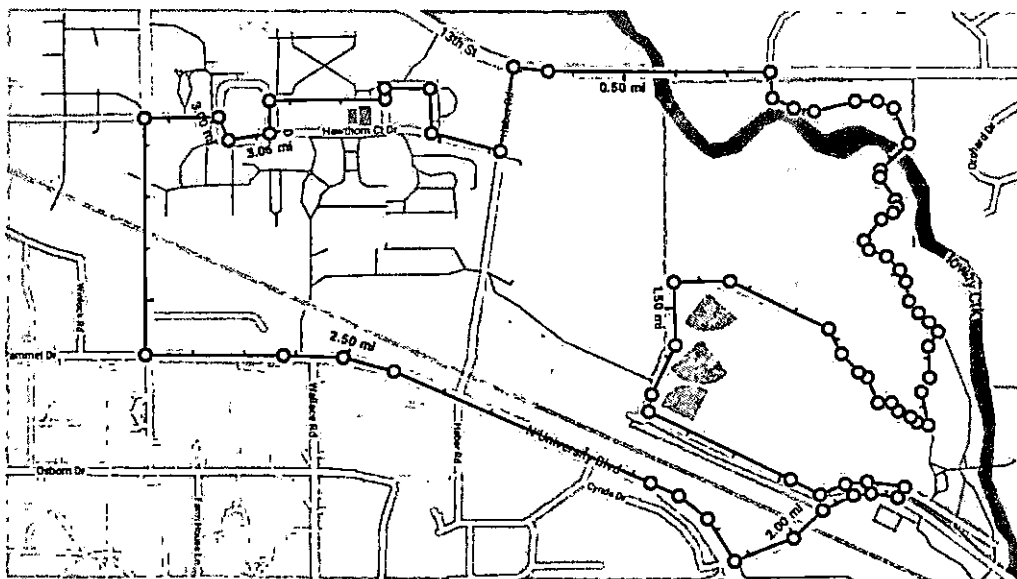
- [Ockruse@iastate.edu](mailto:Ockruse@iastate.edu)
- [kyrat@iastate.edu](mailto:kyrat@iastate.edu)
- [ejmoon@iastate.edu](mailto:ejmoon@iastate.edu)
- [turnera@iastate.edu](mailto:turnera@iastate.edu)
- [Jminardi@iastate.edu](mailto:Jminardi@iastate.edu)

We have additionally included an image detailing the proposed 5K route at the end of this letter.

Sincerely,



Freddy 5K Planning Committee







**FILED**  
**FEB - 7 2022**  
 CITY CLERK  
 CITY OF AMES, IOWA

## SPECIAL EVENT APPLICATION

Applications received less than thirty (30) days before the event may not be processed by the City in time for the event and will automatically be denied. Each application is viewed as a new event regardless of previous occasions.

Event Name Freddy Fun Run

Location/Address Frederiksen Court Community Center

Region (Select one or more) 2129 Hawthorn Ct Dr Ames, IA 50010

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

Haber Rd, 13th N University Blvd 0th St, Stange Rd

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

Downtown - Ames Main Street: (515) 233-3472 Campustown -  
 Campustown Action Association: (515) 450-8771 ISU - Events  
 Authorization Committee: (515) 284-1437

director@amesdowntown.org  
 director@amescampustown.com  
 eventauthorization@iastate.edu

### TIMELINE

Setup Date 04/22/22 Time 5:00pm M T W R F Sa Su  
 Event Starts Date 04/23/22 Time 10:00am M T W R F Sa Su

Detailed Description of Event Activities (written overview of event and what's going to happen)

ISU Frederiksen Court community along w/ ISU affiliated organizations will be putting on a 5K run/walk to promote fitness and sustainability for ISU students

Event Ends Date 04/23/22 Time 12:00pm M T W R F Sa Su  
 Teardown Complete Date 04/23/22 Time 1:00pm M T W R F Sa Su

### Event Category

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

Rain Date 04/24/22 Rain Location NO Change

Yes  No

Is this an annual event? If yes, how many years?

### For Office Use Only

#### Documents Received

Date: 2-7-22

- Completed Application
- Fireworks Application (\$25 fee)
- Insurance Certificate
- Public Safety & Event Management Plan
- Site Plan/Route Map (\$25 fee) (Road Race)
- Vendor List (\$50 fee/each)
- Parking fees

#### Special Events Meeting

Date 2-23-discussed

Time w/ Special event team

Room \_\_\_\_\_

#### Documents Sent:

- Alcohol License ABD
- Fireworks Permit
- Road Race Permit
- TOP
- Vending Permit
- Other \_\_\_\_\_

#### Departments Included

- City Manager: Brian Phillips and ~~Tasha Kerr~~
- CyRide: Jenny Bethurem or Rob Holm or Kevin Gri
- Electric: Mark Imhoff
- Fire: Jason Ziph or Rich Higgins
- Parks & Rec: ~~Ernie Kaufman~~ or Joshua Thompson
- Public Works: Brad Becker or ~~Dave Cole~~
- Police: Tom Shelton or ~~Mika Arkovitch~~
- Water: Heidi Petersen
- Risk Management: Bill Walton

CAA: Karin Chitty  
 AMS: Kim Frey  
 ISU: Events  
 Authorization Committee

#### City Council Meeting

Date 3-22-22

Added to Agenda with CAF Approved Y N

Reminder Date \_\_\_\_\_

**CONTACTS**

Sponsor/Applicant Name Cody Simons  
Address Frederiksen Court Community Center 2129 Hawthorn Ct Dr. Ames, IA 50010  
City Ames State IA Zip Code 50010  
Daytime Phone (515) 294-1680 Cell Phone \_\_\_\_\_  
E-mail cdsimons@iastate.edu  
Alternate Contact Name Olivia Kruse  
Daytime Phone \_\_\_\_\_ Cell Phone (503) 587-9750  
E-mail okkruse@iastate.edu

**ATTENDANCE**

Anticipated Daily Attendance ~~225~~ 225

Yes No

Is this event open to the public?

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

\_\_\_\_\_

**ORGANIZATION STATUS/PROCEEDS**

- For-Profit  
 Bona Fide Tax Exempt  
 Nonprofit

Yes No

Are patron admission, entry, or participant fees required? If yes, please describe and provide amounts: \_\_\_\_\_

Are vendor or other fees required? If yes, please provide amounts: \_\_\_\_\_

Percentage of net proceeds going towards fundraising \_\_\_\_\_ %

Percentage of net proceeds going towards for-profit entity \_\_\_\_\_ %

**SECURITY**

Ames Police Department 24 hour non-emergency phone number: 515-239-5133

Please complete the course at <https://www.crowdmanagers.com/training> for crowd management training.

Yes No

Have you hired a professional security company to develop and manage your event's security plan? If yes, please fill out the following information:

Security Organization \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_  
Email \_\_\_\_\_

**COUNCIL ACTION FORM**

**SUBJECT: AMES MAIN STREET REQUESTS FOR MUSIC WALK**

**BACKGROUND:**

Ames Main Street (AMS) is planning to host its annual Music Walk event on Thursday, April 28, 2022, from 5:00 p.m. to 8:00 p.m. AMS staff has made the following requests of the City Council to help facilitate the Musk Walk festivities on April 28:

- Blanket Temporary Obstruction Permit for the Central Business District sidewalks and Blanket Vending License for the Central Business District from 3:00 to 9:00 p.m.
- Waiver for fee for Blanket Vending License (\$50 loss to City Clerk's Office)
- Use of City-owned electrical outlets and waiver of costs from 3:00 to 9:00 p.m. (approximately \$5 loss to Electric Fund)

Ames Main Street is also requesting a closure of 10 metered parking spaces in the Downtown area from 3:00 p.m. to 9:00 p.m. to provide space for vendors, and to waive parking meter fees and enforcement (Loss of \$12.50 to Parking Fund). The Council's policy regarding parking waivers is to consider requests such as this one on a case-by-case basis, as opposed to requiring reimbursement for lost parking revenue. Lost parking revenue is only required to be reimbursed under this policy when the parking waiver is District-wide.

**ALTERNATIVES:**

1. Approve the Music Walk requests as submitted by AMS.
2. Approve the Music Walk requests as submitted by AMS, but require reimbursement for the parking meter fees, Vending License, and/or electricity use.
3. Do not approve.

**CITY MANAGER'S RECOMMENDED ACTION:**

This event provides residents with another opportunity to enjoy family-oriented outdoor activities. Because of the City Council's goal of strengthening Downtown, this type of special event should be facilitated.

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



February 1, 2022

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

Dear Mayor Haila and Members of the Ames City Council,

Ames Main Street is planning to hold Ames Main Street Music Walk on April 28<sup>th</sup>, 2022 from 5pm-8pm.

Specific information about the event can be found on the included Special Event Application. We would also request a Temporary Obstruction Permit, and a waiver of fees for the Blanket Vendor Permit, electricity and the 10 requested parking spaces.

By bringing residents to Downtown Ames for attractions such as this, Ames Main Street can fulfill its mission as a Main Street Iowa community and create an economically vibrant downtown with unique living, dining, and entertainment experiences.

Thank you for your consideration of this request and continued support of Ames Main Street. We look forward to seeing you shopping in Downtown Ames!

Sincerely,

A handwritten signature in black ink, appearing to read 'Sarah Dvorsky', is written over a faint, light blue circular watermark.

Sarah Dvorsky  
Executive Director  
Ames Main Street



**Documents Received**

- Date: \_\_\_\_\_
- \_\_\_ Completed Application
  - \_\_\_ Fireworks Application (\$25 fee)
  - \_\_\_ Insurance Certificate
  - \_\_\_ Public Safety & Event Management Plan
  - \_\_\_ Site Plan/Route Map (\$25 fee) (Road Race)
  - \_\_\_ Vendor List (\$50 fee/each)
  - \_\_\_ Parking fees

**Special Events Meeting**

- Date \_\_\_\_\_
- Time \_\_\_\_\_
- Room \_\_\_\_\_

**Documents Sent:**

- \_\_\_ Alcohol License ABD \_\_\_\_\_
- \_\_\_ Fireworks Permit
- \_\_\_ Road Race Permit
- \_\_\_ TOP
- \_\_\_ Vending Permit
- \_\_\_ Other \_\_\_\_\_

**Departments Included**

- \_\_\_ City Manager: Brian Phillips and Tasheik Kerr
- \_\_\_ CyRide: Jenny Bethurem or Rob Holm or Kevin Gries
- \_\_\_ Electric: Mark Imhoff
- \_\_\_ Fire: Jason Ziph or Rich Higgins
- \_\_\_ Parks & Rec: Craig Kaufman or Joshua Thompson
- \_\_\_ Public Works: Brad Becker or Dave Cole
- \_\_\_ Police: Tom Shelton or Mike Arkovich
- \_\_\_ Water: Heidi Petersen
- \_\_\_ Risk Management: Bill Walton

CAA: Karin Chitty  
 AMS: Kim Frey  
 ISU: Events  
 Authorization Committee

**City Council Meeting**

- Date \_\_\_\_\_
- \_\_\_ Added to Agenda with CAF Approved Y N
- Reminder Date \_\_\_\_\_

# SPECIAL EVENT APPLICATION

Applications received less than thirty (30) days before the event may not be processed by the City in time for the event and will automatically be denied. Each application is viewed as a new event regardless of previous occasions.

Event Name

Location/Address

Region *(Select one or more)*

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

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

Downtown - Ames Main Street: (515) 233-3472 Campustown -  
 Campustown Action Association: (515) 450-8771 ISU - Events  
 Authorization Committee: (515) 294-1437

director@amesdowntown.org  
 director@amescampustown.com  
 eventauthorization@iastate.edu

## TIMELINE

**Setup** Date  Time  M T W R F Sa Su  
 ● ○ ○ ○ ● ○ ○ ○

**Event Starts** Date  Time  M T W R F Sa Su  
 ○ ○ ○ ● ○ ○ ○ ○

**Detailed Description of Event Activities** (written overview of event and what's going to happen)

Ames Main Street Music Walk is an annual event during which local businesses host musicians of all genres.

**Event Ends** Date  Time  M T W R F Sa Su  
 ○ ○ ○ ● ○ ○ ○ ○

**Teardown Complete** Date  Time  M T W R F Sa Su  
 ○ ○ ○ ● ○ ○ ○ ○

**Event Category**

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

Rain Date  Rain Location

Yes No

Is this an annual event? If yes, how many years?

## CONTACTS

**Sponsor/Applicant Name**

Address

City  State  Zip Code

Daytime Phone  Cell Phone

E-mail

**Alternate Contact Name**

Daytime Phone  Cell Phone

E-mail

## ATTENDANCE

Anticipated Daily Attendance

Yes No

- Is this event open to the public?
- Is your event being held in conjunction with another event (e.g. *Farmers' Market, 4th of July*, etc.)? If yes, please list:

## ORGANIZATION STATUS/PROCEEDS

- For-Profit
- Bona Fide Tax Exempt
- Nonprofit

Yes No

- Are patron admission, entry, or participant fees required? If yes, please describe and provide amounts:
- Are vendor or other fees required? If yes, please provide amounts:

Percentage of net proceeds going towards fundraising  %

Percentage of net proceeds going towards for-profit entity  %

## SECURITY

**Ames Police Department 24 hour non-emergency phone number: 515-239-5133**

Please complete the course at <https://www.crowdmanagers.com/training> for crowd management training.

Yes No

- Have you hired a professional security company to develop and manage your event's security plan? If yes, please fill out the following information:

**Security Organization**

Address

City  State  Zip  Phone

Email

ITEM#: 19  
DATE: 03-22-22

### COUNCIL ACTION FORM

**SUBJECT: BEACH AVENUE - ELECTRIC UTILITY EASEMENT ON STATE OF IOWA PROPERTY**

#### **BACKGROUND:**

Electric Services is planning to replace a buried electric line along the east side of Beach Avenue between Sunset Drive and Country Club Boulevard in spring 2022. The existing line has failed and been repaired several times. The replacement line will be more reliable and have increased capacity to accommodate projected electric load growth in the area.

Due to the distance between Sunset Drive and Country Club Boulevard (approx. 900 ft), two pull boxes will need to be buried along the line. The pull boxes will enable Electric Services crews to install the new line in shorter sections to avoid damaging the line.

Multiple buried utility lines (gas, telephone, CATV, etc.) on the east side of Beach Avenue prevent the placement of the pull boxes in public right-of-way. The Iowa State Center is located on the east side of the Beach Avenue right-of-way and would provide a suitable location for the installation of the pull boxes. **To accomplish this, the City and ISU must approve an agreement for an electric utility easement. ISU is willing to grant a 50-year easement.**

Staff from Iowa State University Facilities Planning & Management is supportive of the placement of the pull boxes on the Iowa State Center site. The State Board of Regents is expected to approve the easement at the April 2022 Board meeting in exchange for \$1 in consideration. **The easement agreement does require the City to move its facilities if ISU requests so in the future, but ISU would pay the cost of relocation on a prorated basis over a 30-year period (i.e., ISU covers 100% of the relocation if it takes place in year one, decreasing to a 0% obligation at 30 years).**

#### **ALTERNATIVES:**

1. Approve the Electric Utility Easement on State of Iowa property for the installation of the electrical pull boxes.
2. Do not approve the Electric Utility Easement on State of Iowa property and direct Electric Services' staff to find an alternative location for the electrical pull boxes.

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

Electrical load is projected to increase in the area south of the Iowa State University campus. The replacement of a buried line with one having greater capacity will allow

Electric Services the ability to maintain the quality of service to the area. An easement on ISU property is required to install the two electrical pull boxes for this project.

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



ITEM#: 20  
DATE: 03-22-22

### COUNCIL ACTION FORM

**SUBJECT: CYRIDE - ELECTRIC UTILITY EASEMENT ON STATE OF IOWA PROPERTY**

#### **BACKGROUND:**

Electric Services needs to install a pad-mounted transformer at CyRide to provide service to the charging stations for the new electric buses scheduled to be delivered later this year. The transformer will be placed adjacent to the CyRide building.

CyRide is located on land leased from Iowa State University. An electric utility easement has been prepared that covers the new transformer location as well as the existing electric facilities owned by the City of Ames, located on State of Iowa property, that provide service to CyRide. An easement for the existing facilities has never been created until now. **ISU is willing to grant a 50-year easement.**

Staff from Iowa State University Facilities Planning & Management is supportive of the placement of the transformer on the CyRide site and recording of the easement. The Iowa Board of Regents is expected to approve the easement at the April 2022 Board meeting in exchange for \$1 in consideration. **The easement agreement does require the City to move its facilities if ISU requests so in the future, and ISU is not obligated to pay for the cost of relocation.**

#### **ALTERNATIVES:**

1. Approve the Electric Utility Easement on State of Iowa property that covers a new pad-mounted transformer and existing City-owned electric facilities not previously covered by an easement.
2. Do not approve the Electric Utility Easement on State of Iowa property and direct Electric Services' staff to find an alternative location for the transformer.

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

An electric utility easement guarantees the City rights to own and maintain its facilities on private property. This easement will ensure that Electric Services can provide reliable service to CyRide.

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

**COUNCIL ACTION FORM**

**SUBJECT: SOUTH 16<sup>TH</sup> STREET IMPROVEMENTS**

**BACKGROUND:**

This project, to reconstruct and add turn lanes at S. Duff Avenue and S. 16<sup>th</sup> Street, is one of the phases associated with the extension of S Grand Avenue. The projects have been broken into three phases to allow for flexibility in timing of construction and funding:

- 1) S 5<sup>th</sup> St and S Grand Ave (loway Creek Drive to S 5<sup>th</sup> St.) **(Completed)**
- 2) S Grand Ave south of S 5<sup>th</sup> Street (this portion includes two bridges to accommodate Squaw Creek under the roadway). **(Substantially Complete)**
- 3) Reconstruction and additional turn lanes at S Duff Ave and S 16<sup>th</sup> St. **(This project)**

Work includes turn lane and traffic signal improvements at S 16<sup>th</sup> Street/S Duff Avenue, reconstruction of concrete pavement on S 16<sup>th</sup> Street each direction of S Duff Avenue, and infill of sidewalk along the south side of S 16<sup>th</sup> Street from S Grand Avenue to just west of Menards.

On February 16, 2022, bids for the project were received as follows:

<b>Bidder</b>	<b>Base Bid Amount</b>
<i>Engineer's Estimate</i>	\$ 3,835,811.40
Con-Struct Inc.	4,200,984.70
Shekar Engineering, P.L.C.	4,225,893.37
Absolute Concrete	4,796,958.90

**On February 22, 2022, City Council accepted the report of bids for this project. Due to the substantial cost difference between the lowest bid and the Engineer's Estimate, staff requested that the City Council delay the award of bid to provide time to analyze the bids and the project financing.**

City staff and the project consultant have identified several aspects of the project as leading to the high bids. **Therefore, City staff believes the appropriate course of action would be to reject the award of bids and make substantial modifications to the project.** These modifications include:

- 1) Rerouting the storm sewer pipe along the north side of the roadway to instead be on the south side. This change helps eliminate all high-cost pipes due to the previous proximity to existing water main to using standard pipes, and all the modified storm structures to standard structures.

- 2) Extending the completion date to provide the contractor the flexibility to complete the west side of the intersection this year and the east side in 2023.

**Although staff and the consulting engineer believe these modifications will reduce the cost of the construction compared to the bids originally received, the revised estimate also reflects an increased cost of construction materials and services. Therefore, these revisions result in an increased construction cost estimate of \$3,870,395.80 compared to the previously bid plans.**

If approved, the revised plans would be sent out for bids in April, and completion of the majority of the project would be able to occur in the 2022 construction season.

Revenues and expenses for this project, reflecting the revised Engineer's Estimate, are as follows:

<b>Activity</b>	<b>Expenses</b>	<b>Revenue</b>
Engineering (overall total)	2,625,350.00	
South 5 <sup>th</sup> Street Project (Completed)	3,187,255.70	
S Grand Extension (Substantially Complete)	8,883,564.62	
<b>S 16<sup>th</sup> St/S Duff Ave Imp (Revised plans)</b>	<b>3,870,395.80</b>	
Land Acquisition	841,848.40	
Tree Clearing & Temporary Signal	138,206.39	
Traffic Signal (Cabinet/Poles/Camera)	210,000.00	
Pedestrian Bridge (Relocate to Schulte)	250,000.00	
GO Bonds		11,580,000
2021/2 Stormwater Improvement Program		150,000
MPO/STP Funds (\$4,300,000 in CIP)		5,500,000
Federal/State Grants (\$4,273,000 in CIP)		2,791,485
<b>TOTAL</b>	<b>\$20,006,620.91</b>	<b>\$20,021,485</b>

**ALTERNATIVES:**

1. a. Approve the final plans and specifications for this project.  
b. Reject the South 16<sup>th</sup> Street Improvements project bids and direct staff to re-bid the project.  
c. Approve revised plans and specifications for the South 16<sup>th</sup> Street Improvements project and establish April 6, 2022, as the date of letting and April 12, 2022, as the date for report of bids.
2. a. Approve the final plans and specifications for this project.  
b. Award the contract to Con-Struct of Ames, IA in the amount of \$4,200,984.71.
3. Reject all bids and do not proceed with this project during the 2022 construction season, delaying instead to the 2023 construction season.

**CITY MANAGER'S RECOMMENDED ACTION:**

Rejecting the bids and approving revised preliminary plans and specifications will allow this project to be re-bid and will result in lower street maintenance costs, improve area drainage, and provide a better traffic flow at the intersection of S Duff Avenue and S 16<sup>th</sup> Street.

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

ITEM#: 22  
DATE: 03-22-22

**COUNCIL ACTION FORM**

**SUBJECT: 2020/21 CONCRETE PAVEMENT IMPROVEMENTS PROGRAM (FORD ST., BELL AVE., S. 17<sup>TH</sup> ST., S. KELLOGG AVE)**

**BACKGROUND:**

This is an annual program to rehabilitate or reconstruct concrete streets that have deteriorated in order to prevent further breakdown of the pavement. This work will provide enhanced rideability, lower routine maintenance costs, and an improved aesthetic.

This project includes removal and replacement of selected deficient concrete panels. Staff met on-site with the impacted businesses who reached out about staging and access needs. Comments from those meetings were incorporated into the project.

Staff has completed plans and specifications for this project with total estimated construction costs and funding as listed below.

	<b>Available Revenue</b>	<b>Estimated Expenses</b>
G.O. Bonds	\$ 2,300,000	
Road Use Tax	100,000	
20/21 Concrete Imp – 8 <sup>th</sup> St. (Completed)		\$1,284,528.26
<b>Construction (This project)</b>		<b>666,563.00</b>
Engineering/Administration (total combined)		305,000.00
	<hr/>	<hr/>
	\$ 2,400,000	\$2,256,091.26

**ALTERNATIVES:**

1. Approve plans and specifications for the 2020/21 Concrete Pavement Improvement (Ford St., Bell Ave., S. 17<sup>th</sup> St., S. Kellogg Ave.) project and establish April 20, 2022, as the date of letting and April 26, 2022, as the date for the report of bids.
2. Direct staff to pursue changes to the project.

**CITY MANAGER’S RECOMMENDED ACTION:**

Approving these plans and specifications will result in lower street maintenance costs and provide a better neighborhood aesthetic.

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

**COUNCIL ACTION FORM**

**SUBJECT: POWER PLANT UNIT 8 TURBINE GENERATOR OVERHAUL  
PROJECT - CONTRACT COMPLETION FOR BLADE RUNNER  
TURBOMACHINERY SERVICES, LLC**

**BACKGROUND**

On June 23, 2020, the City Council approved plans and specifications for the Unit 8 Turbine-Generator Overhaul Project. The Unit 8 Turbine-Generator is disassembled at regular intervals to inspect the turbine and the generator for repairs and to install replacement parts that may be needed to prevent unplanned turbine-generator outages, prevent costly turbine-generator damage, and increase turbine-generator efficiency and reliability.

Award of contract was made October 13, 2020, to Blade Runner Turbomachinery Services (BRTS), LLC of Navasota, Texas, for the base bid and Alternate #10 (Turbine Lube Oil System High Speed Flush) in the amount of \$699,800 (plus applicable sales taxes to be paid by the City).

There were five change orders to the Blade Runner Turbomachinery Services contract.

**Change Order #1:** On September 28, 2021, was done to increase the purchase order by \$607,678.37 (exclusive of Iowa sales tax) to ship the Unit 8 generator rotor offsite to be disassembled, inspected, rewound, and electrically tested and balanced.

**Change Order #2:** On October 21, 2021, was done to increase the purchase order by \$26,993.86 (exclusive of Iowa sales tax) to disassemble and clean valves and seat.

**Change Order #3:** On October 26, 2021, was done to increase the purchase order by \$181,357.44 (exclusive of Iowa sales tax) to conduct balance test and for additional repairs to Unit 8.

**Change Order #4:** On November 23, 2021, was done to increase the purchase order by \$123,843.27 (exclusive of Iowa sales tax) for additional work not included in the original scope due to the Unit 8 crane delay.

**Change Order #5:** On January 14, 2022, was done to increase the purchase order by \$1,175.12 (exclusive of Iowa sales tax) for additional materials.

**All the requirements of the contract have been met by Blade Runner Turbomachinery Services LLC and the Engineer has provided a certificate of completion.**

Final expenditures to Blade Runner Turbomachinery Services LLC of Navasota, TX are in the total amount of \$1,640,848.06 (exclusive of sales tax). The Blade Runner expenses are indicated in bold in the table below:

<b>VENDOR</b>	<b>SERVICE</b>	<b>COST</b>
Argo	Parts	\$ 1,077,109.00
Argo	City to pay sales tax	74,711.63
MD&A	Parts (sales tax included)	190,071.71
Power Plant Services	Parts (sales tax included)	147,224.65
Burns & McDonnell	Engineering	39,176.89
General Electric	Technical Support	311,470.00
<b>Blade Runner</b>	<b>Prime Contractor</b>	<b>1,640,848.06</b>
<b>Blade Runner</b>	<b>City to pay sales tax</b>	<b>114,859.36</b>
<b>Total</b>		<b>\$ 3,595,471.30</b>

Funding for the Unit 8 Turbine-Generator Overhaul Project was originally budgeted in the 2019/20 CIP in the amount of \$3,000,000. Funds to finance expenses exceeding that amount will be taken from savings related to Unit 7 Boiler Repair Project CIP, the Unit 7 Turbine-Generator Overhaul CIP, and the Unit 8 Turbine & Generator Maintenance account.

In total, funds are available for this project as follows:

**2019/20 Unit #8 Turbine Generator Overhaul CIP**

Materials/Parts	\$1,000,000.00
Construction	1,650,000.00
GE Tech Support	350,000.00
Unit 7 Boiler Tube CIP	311,623.00
Unit 7 Overhaul CIP	288,924.12
Unit 8 Turbine & Generator Maint.	55,000.00
<b>TOTAL</b>	<b>\$3,655,547.12</b>

**ALTERNATIVES:**

1. Accept completion of the contract with Blade Runner Turbomachinery Services LLC of Navasota, TX for the Unit 8 Turbine Generator Overhaul.
2. Delay acceptance of this project.

**CITY MANAGER'S RECOMMENDED ACTION:**

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

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

## Staff Report

**PROCESS TO HANDLE FUTURE OUTSIDE FUNDING REQUESTS**

March 22, 2022

**BACKGROUND:**

The recommendations related to the Capital Improvements Plan and annual operating budget are developed by the City Manager with human service funding recommendations coming from ASSET and arts funding recommendations from COTA. More recently, a process was established to process other outside funding requests. This process is administered by the Assistant City Manager with recommendations based on evaluation criteria previously established by the City Council. **The eligibility criteria include:**

- *Funds may only be awarded to an organization with a Tax ID number for non-profit activities.*
- *Funds provided are to be used towards an event or service that is open to the whole community.*
- *ISU organizations requesting funds must be recognized by the Student Activities Center, and any event funded must be open to the public and approved by the ISU Events Authorization Committee.*

**Preference will be given to requests that achieve the following criteria, listed in order of priority:**

1. *A program or activity that would otherwise be operated by the City at a greater cost*
2. *Requests that have broad-based appeal to the community, demonstrated by the number of participants*
3. *Requests that provide a unique benefit or service to the community*
4. *Requests that pursue current City Council goals*

**Regardless of these criteria, activities previously funded by this program are not grandfathered. Each proposal must be justified with each new grant request.**

Since this program's inception, the majority of the requests for operational support have reoccurred each year for such entities as Main Street Cultural District, Campustown Action Committee, Hunziker Sports Complex, AEDC, and Ames Historical Society.

The program is advertised on the City's web site and recommended to those who have submitted requests for City Council funding. The submittal deadline from this program is in November. During the Budget Guideline meeting in December, the City Council



determines the pot of money that will be available for the program. Staff then submits its recommended allocations to the City Council at the end of January.

### **THE ISSUE:**

Over the years more and more entities are not utilizing the established Outside Funding process and are instead going directly to the City Council with their requests. It has reached a point where it does not seem fair that some funding requests are going through the established process for consideration and are judged against one another, while others are bypassing the review process. **This trend places the City Council in a difficult position of not prioritizing all the requests at one time and not relying on the program eligibility criteria when judging each request. Therefore, at the conclusion of the latest budget cycle, the City Council requested the staff come back with a recommended process that is fair and applied consistently when determining which outside entity's budget request will be approved.**

### **RECOMMENDED PROCESS:**

In July 2022, the City Council will review the existing Outside Funding Program criteria and determine what, if any, modifications should be made to the criteria.

In October 2022, everyone who makes a funding request at the Town Budget Meeting or submits a funding request to the staff or City Council will be instructed that in order to be considered for funding they must fill out the formal application and proceed through the Outside Funding Program.

In November 2022, all applications for outside funding requests will be due into the City Manager's Office.

In December 2022, the City Council will establish the pot of money for the "on-going" requests, as is currently the practice. For FY 2022/23, this total pot is \$277,659.

In February 2023, the City Council will review the staff's recommendations regarding both one-time and on-going requests and make final decisions regarding funding for all the outside requests after reviewing each of them together in accordance with the established criteria. Funding for any "one-time" requests (e.g., Ames Historical Society for construction assistance) will have to come from fund balances, if available. The total allocated for one-time requests totaled \$273,600 in FY 2022/23.

### **STAFF COMMENTS:**

**It is advisable that the City Council stands firm requiring each requesting party (either a citizen or Council member) to comply with the established Outside Funding Program procedures, criteria, and deadlines, and be prepared to disqualify from consideration those requests that are not compliant.**

**While it is possible to justify approval of outside funding at other times of the year, this should be the exception rather than the rule.**

**COUNCIL ACTION FORM**

**SUBJECT: NAMING POLICY FOR CITY PLACES, FACILITIES, AND STRUCTURES**

**BACKGROUND:**

At the February 8, 2022 City Council meeting, the City Council directed staff to place on a future Council agenda a proposed naming policy for municipal properties, similar to the existing Parks & Recreation Policy. Using the Parks and Recreation Naming Policy as a guide, staff has drafted a policy that would be applicable to City facilities that are not related to Parks and Recreation features.

The proposed policy divides properties that may be named into three categories: facilities, major features, and amenities. Naming proposals may be considered for historic events, people, or places, outstanding individuals, or major donations. Criteria are included to review the proposed naming and record the reasons for the proposal. Although naming proposals can be submitted by the public, the City Council and City Manager may also submit naming proposals to the City Council for consideration.

**ALTERNATIVES:**

1. Approve the attached "City of Ames Naming Policy"
2. Modify the attached policy
3. Do not approve a naming policy

**CITY MANAGER'S RECOMMENDED ACTION:**

The attached policy provides guidance to accept and consider proposals for the naming of City property. The provisions included largely reflect the similar policy in place for Parks and Recreation features. Adopting this policy will provide for a standardized, thorough, and accessible path for naming proposals to be considered and approved.

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

## **CITY OF AMES NAMING POLICY**

(For non-Parks and Recreation Facilities, Major Features, and Amenities)

### **1. INTRODUCTION**

The naming or renaming of city facilities, major features, or amenities is a complex and sometimes emotionally evocative since assigning a name is a powerful and permanent identity for public property. The naming and renaming of facilities, major features, or amenities often requires significant resources in terms of changing names on signs, maps, and literature. In addition, excessive and constant name changing can be the source of confusion to the public. The purpose of this policy is to provide guidance to those that have an interest in the naming and or renaming of the City's facilities, major features, or amenities.

### **2. OTHER APPLICABLE POLICIES**

In some circumstances, naming of a facility, major feature, or amenity is subject to another policy the City has adopted. These include:

a. **Parks and Recreational Facilities:**

The naming of parks and recreational facilities, major features, and amenities is subject to the separate *Parks and Recreation Naming Policy*. These include all traditionally designed parks, gardens, natural open spaces, woodlands, and specialized parks, and all major structures such as community centers, swimming pools, and enclosed pavilions located on lands under the stewardship of the City of Ames Parks and Recreation Department.

b. **Streets:**

The naming of streets is subject to specific criteria separate from this policy, which are outlined in the City's *Administrative Program for Street Naming and Addressing*. However, a roadway feature such as a bridge or tunnel is subject to the *City of Ames Naming Policy*.

### **3. DEFINITIONS**

a. **Naming:**

The permanent name assigned by City Council to a given facility, major feature, or amenity.

b. **Facilities:**

Buildings or structures such as fire stations, utility plants, bridges, City office buildings, community centers, swimming pools, plaza, electric substations, and enclosed pavilions.

- c. **Major Features:**  
Permanent areas or objects, such as rooms within facilities or roadway features.
- d. **Amenities:**  
Smaller features, such as equipment or furnishings (e.g., training apparatus, boardroom tables, benches, etc.). Recognition for donated amenities is possible.
- e. **Donations:**  
A donation of property, goods or cash generally with no expectation of return. If the gift is contingent upon a special request, it is made subject to “condition.”

#### 4. POLICY STATEMENT

It is the policy of the City of Ames to reserve the naming or renaming of facilities, major features, and/or amenities for circumstances that will best serve the interests of the City and ensure a worthy and enduring legacy for the City.

To this end, the City of Ames supports consideration of naming requests within the following broad categories.

- a. **Historic Events, People, and Places**  
The history of a major event, place, or person may play an important role in the naming or renaming of a place as communities often wish to preserve and honor the history of a city, its founders, other historical figures, its Native American heritage, local landmarks and prominent geographical locations, and natural and geological features through the naming of parks.
- b. **Outstanding Individuals**  
The City has benefited, through its evolution, from the contributions made by many outstanding individuals. This category is designed to acknowledge the sustained contribution that has been made by such individuals to the City.
- c. **Major Donations**  
Over the years, the City of Ames has benefited from the generosity of some of its residents, businesses, and foundations. On occasion, the significance of such donations may warrant consideration being given to requests from either the donor or another party to acknowledge such donations by naming.

## 5. GUIDING PRINCIPLES

### a. **Naming/renaming for Historic Events, People, and Places**

When considering naming a facility, major feature, or amenity after events, people and places of historic, cultural or social significance, requests must demonstrate this significance through research and documentation and show there is continued importance to the city, region, state, and/or nation.

### b. **Naming/renaming for Outstanding Individuals**

A facility, major feature, or amenity may be named for an outstanding individual who has made a significant contribution to the City of Ames, the State of Iowa, or the nation. In addition to societal contributions, the moral character of the individual must be considered. When considering requests, it is preferred that the individual has a connection to the facility, major feature, or amenity being requested to be named.

### c. **Naming/Renaming for Major Donations**

From time to time, a significant donation may be made to the City that will add considerable value to the City's resources and/or services. On such occasions, recognition of this donation by naming/renaming a facility, major feature, or amenity in honor of or at the request of the donor will be considered.

The City Council may use its discretion as to what dollar amount is worthy of naming rights for individual projects, on a case-by-case basis.

Donors seeking naming rights for major donations with respect to an individual should follow the principles outlined in 4.b. (Outstanding Individuals). Exceptions to this will be considered on their own merits.

Naming facilities with a company name is not permitted; however, company names will be considered for Major Features and Amenities. Corporate logos, insignias, brands, or direct advertising text shall not be permitted

### d. **Renaming a facility, major feature, or amenity**

Proposals to rename facilities, major features, or amenities, regardless of the rationale for the original naming, are not encouraged. Likewise, names that have become widely accepted by the community will not be abandoned unless there are compelling reasons and strong public sentiment from the broader community for doing so. Historical or commonly used place names will be preserved wherever possible.

### e. **Other Considerations**

When naming/renaming a facility, major feature, or amenity, does the proposed name engender a strong positive image, have historical, cultural or social significance for future generations, and have broad public support?

To minimize confusion, individual facilities or features will not be subdivided for the purpose of naming unless there are readily identifiable physical divisions. Major features should be named differently from the facilities in which they exist to avoid user confusion.

All signs that indicate the name of a facility, major feature, or amenity shall comply with City of Ames graphic and design standards. Specialized naming signage will not be permitted.

The City of Ames reserves the right to rename any facility, major feature, or amenity if the person or entity for whom it is named turns out to be disreputable or subsequently acts in a disreputable way.

## **6. PROCEDURES**

These procedures have been established to ensure that the naming or renaming of facilities, major features, and/or amenities is approached in a consistent manner.

### **a. Requests from the public to name/rename facilities, major features, and/or amenities**

All requests for the naming or renaming of a facility, major feature, or amenity shall be made by submitting a Naming Application to the City Manager.

The Naming Application will contain the following minimum information:

1. The proposed name
2. Reasons for the proposed name
3. Written documentation indicating a certification of character and community support for the proposed name (e.g. letters of support, petitions, etc.)
4. If proposing to name a specific area within a facility or major feature, include a description/map showing the location within the larger area.
5. If proposing to rename a facility, major feature, or amenity, include justification for changing an established name.

6. If proposing to name a facility, major feature, or amenity for an outstanding individual, include documentation of that individual's significant contribution to the City, State and/or Nation

**b. Assessing and approving naming/renaming requests**

Upon receipt of a naming request, the City Manager shall:

1. Review the proposed request for its adherence to the City of Ames Naming Policy.
2. Ensure that supporting information has been authenticated, particularly when an individual's name is proposed
3. Seek input from relevant neighborhood association(s), historical groups, and other organizations, if deemed appropriate

The City Manager will then present a recommendation regarding the naming request at a public meeting to the City Council.

**c. Independently of a request from the public, the City Manager or the City Council itself may submit naming proposals for City Council consideration.**

**d. Final decision by City Council**

The decision by the City Council to approve or deny a name change shall be considered final.

**COUNCIL ACTION FORM**

**SUBJECT: INTIATION OF APPLICATION FOR VOLUNTARY ANNEXATION OF LAND LOCATED AT 2219 AND 2121 STATE AVENUE**

**BACKGROUND:**

The City has received an annexation petition from the ISU Board of Regents, representing two parcels totaling 10.79 acres located at 2219 & 2121 State Avenue (Curtis Farm). The property is in Story County on the west side of State Avenue, north of Worle Creek and south of Highway 30 (*See Attachment A*). The applicant requests that the City Council authorize the annexation, which was requested by City staff in conjunction with recent utility improvement requests from ISU related to its feed mill project and the Curtis Farm.

The subject area currently creates a peninsula of unincorporated land extending west from State Avenue. **The inclusion of the subject property into the City will remove this peninsula and create a more uniform boundary along the west side of State Avenue, without creating any islands of unincorporated land. The proposed annexation is 100% voluntary; no non-consenting properties are included in the petition.**

The first step in the annexation process is for the City Council to accept the annexation petition, refer it to the Planning & Zoning Commission for its recommendation, and begin the required notification process outlined in state law.

**PRIOR CONSENTS TO ANNEXATION:**

In 2011, owners of two properties located at 2114 & 2126 State Avenue petitioned the City for water service, as they were unable to receive Xenia Rural Water service. These properties are adjacent to the subject property and total 2.79 acres. **At that time, annexing these properties to provide Ames water was not possible without creating an unincorporated island out of the ISU properties now being considered for annexation.** Therefore, these property owners entered into a *Covenant & Agreement for Annexation* to receive Ames' water.

According to each *Covenant & Agreement for Annexation*, these properties are not required to annex until such time as the City requests their annexation. **Since the ISU properties are now being proposed for annexation, the Council could proceed with annexation of the properties at 2114 & 2126 State Avenue at any time, either in conjunction with the annexation of the adjacent ISU properties at 2219 & 2121 State Avenue, or as a separate annexation following the annexation of the ISU properties.**



Annexation of the two ISU properties and the two other properties will not affect the large unincorporated Meadow Glen area, which extends to the northeast from this location. Meadow Glen property owners have been strongly opposed to annexation in the past and have shown no interest in City services. Inclusion of an 80/20 annexation would do little to reduce the larger unincorporated area to the northeast, as it would result in adding only one or two additional acres or properties. **As a result, staff does not see a need to consider adding any non-consenting properties to this request.**

With a 100% voluntary annexation more than two miles from Kelley, no review or action by the City Development Board is required, if the City approves the annexation. The proposed annexation plat is attached (*See Attachment C*).

The subject property at 2219 & 2121 State Avenue is designated as “University” in Ames Plan 2040. The adjacent single-family properties are designated “RN-2” (*See Attachment B*). Both areas are anticipated growth areas on the Ames Plan 2040 Future Land Use Map. The Future Land Use Map guides decision making for zoning and is in and of itself not considered a right to a specific zone or use. **The annexation would be logical and beneficial to the overall goals of the Ames Plan 2040 for the area and not just for the convenience of one development project.**

**Water service is available along State Avenue and can easily serve the subject property. Sanitary sewer is available along Worle Creek, about a quarter mile south and would require extension of a main to the north by the property owner.** ISU is interested in annexation primarily in order to have Ames’ sanitary sewer service. **ISU will be responsible for the costs associated with extending sanitary sewer north to serve their properties.** Public Works staff reviewed the proposed sewer extension and determined that at this time it was best to allow for ISU to extend the line to meet its needs rather than try to plan for the construction of an oversized line that could one day be extended to the west. Serving ISU property now does not preclude any future sanitary sewer extensions.

### **ALTERNATIVES:**

1. Accept the Application for 100% Voluntary Annexation for the property at 2219 & 2121 State Avenue and direct staff to initiate the process of annexation for only those properties. (Applicant’s Request)
2. Accept the Application for 100% Voluntary Annexation for the property at 2219 & 2121 State Avenue and direct staff to initiate the process of annexation for the subject property, and direct staff to proceed with a separate annexation of the properties at 2114 & 2126 State Avenue by requesting Annexation Applications from those property owners in accordance with each property’s 2011 *Covenant & Agreement for Annexation*.
3. Decline to initiate the requested annexation.

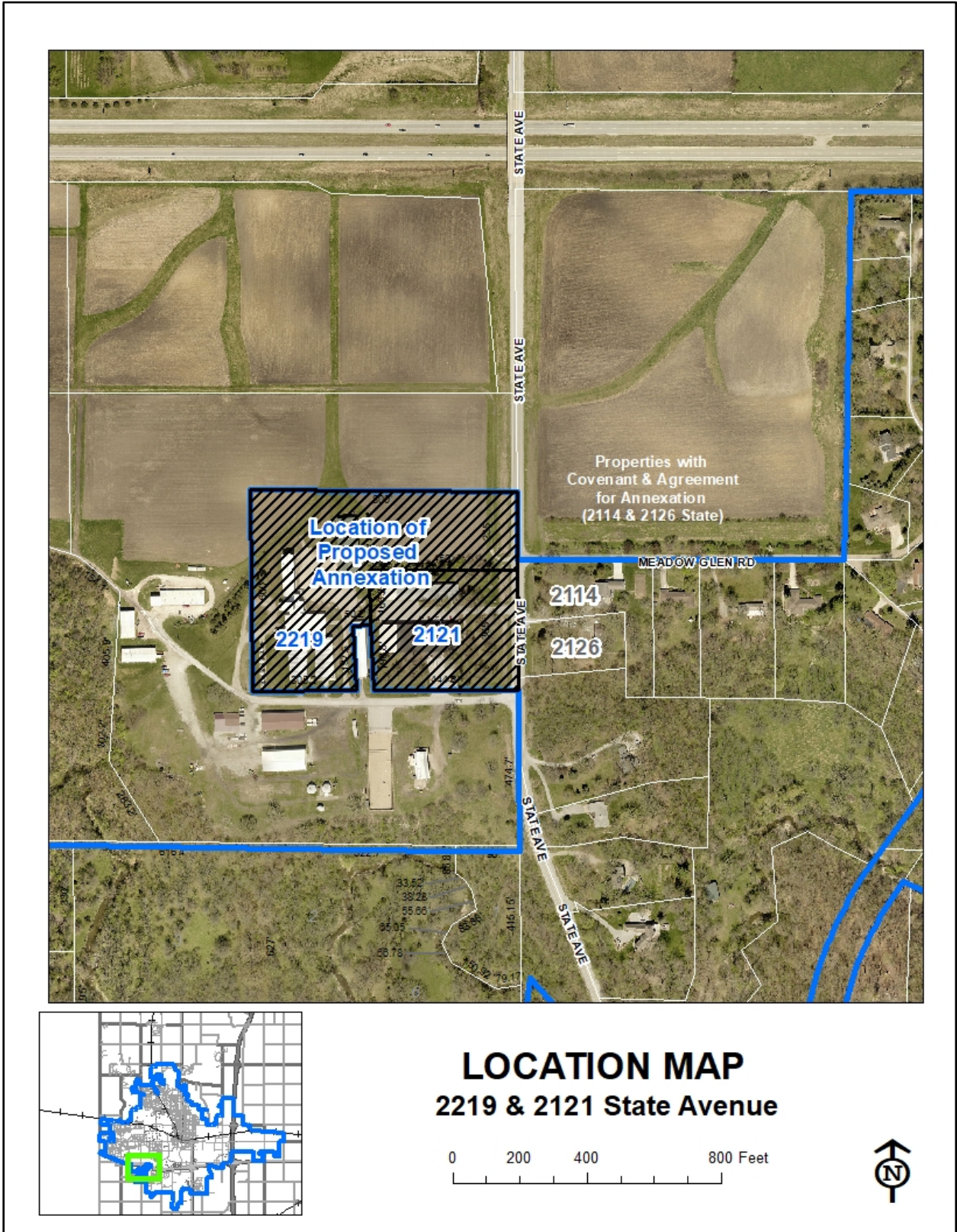
**CITY MANAGER’S RECOMMENDED ACTION:**

Staff has reviewed the Annexation application for the ISU properties at 2219 & 2121 State Avenue and has determined that the application is complete to begin the process of annexation for this property. The annexation would be logical and beneficial to the overall goals of the Ames Plan 2040 for the area and not just for the convenience of one development project. The proposed annexation causes the City’s boundaries to align optimally for more uniform boundaries than what currently exists in this area.

There are no surrounding non-consenting properties that are obvious candidates for inclusion in the annexation. **Furthermore, annexation can proceed independent of any action on the two properties at 2114 & 2126 State Avenue that are each subject to a *Covenant & Agreement for Annexation*. However, notification of these two property owners of the City’s desire to annex would be appropriate at this time.**

**Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 2 as described above, which would allow for the ISU annexation to proceed followed by a separate annexation of the two properties along the east side of State Avenue.**

# Attachment A - Location Map



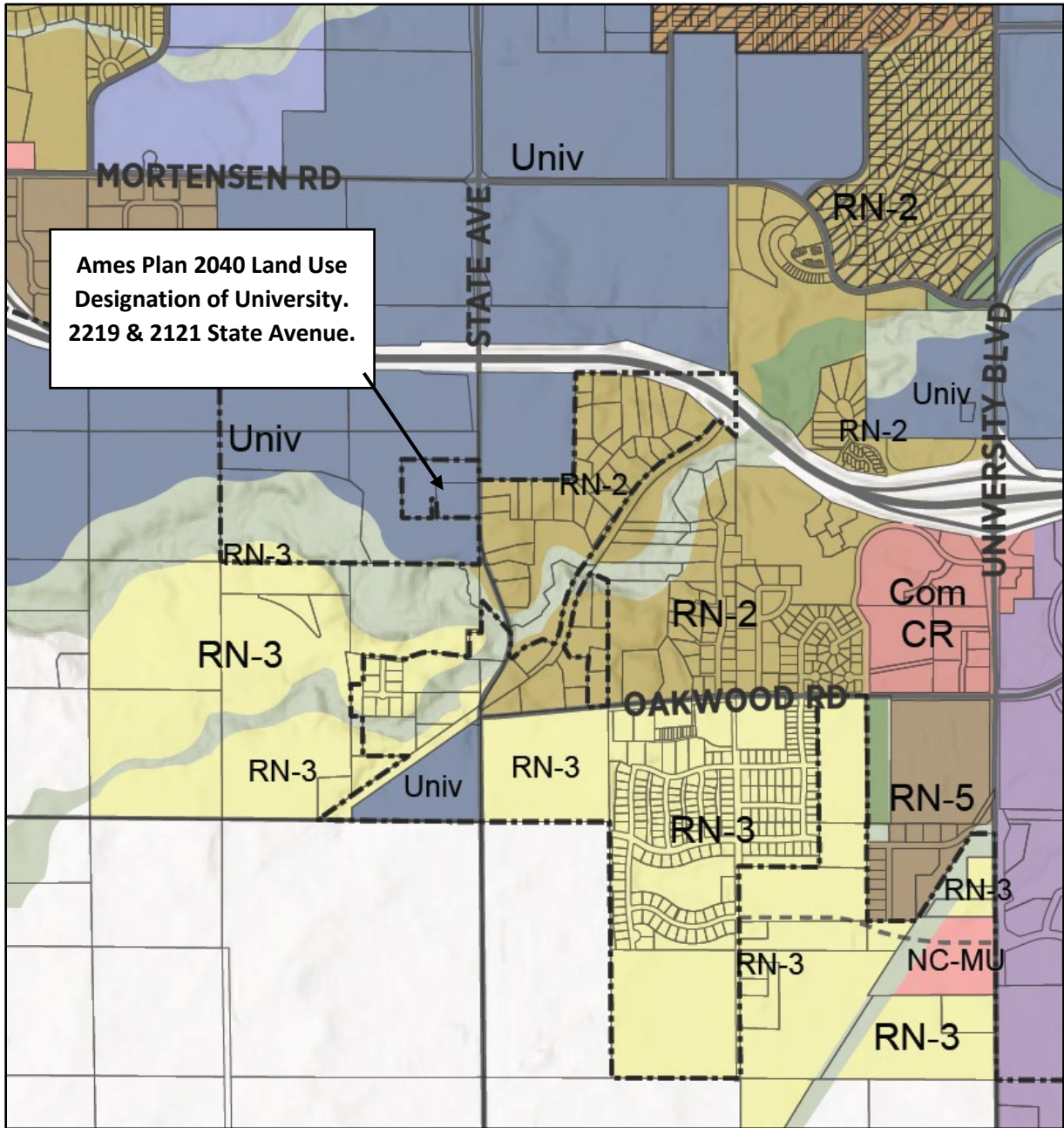
**LOCATION MAP**  
**2219 & 2121 State Avenue**

0 200 400 800 Feet

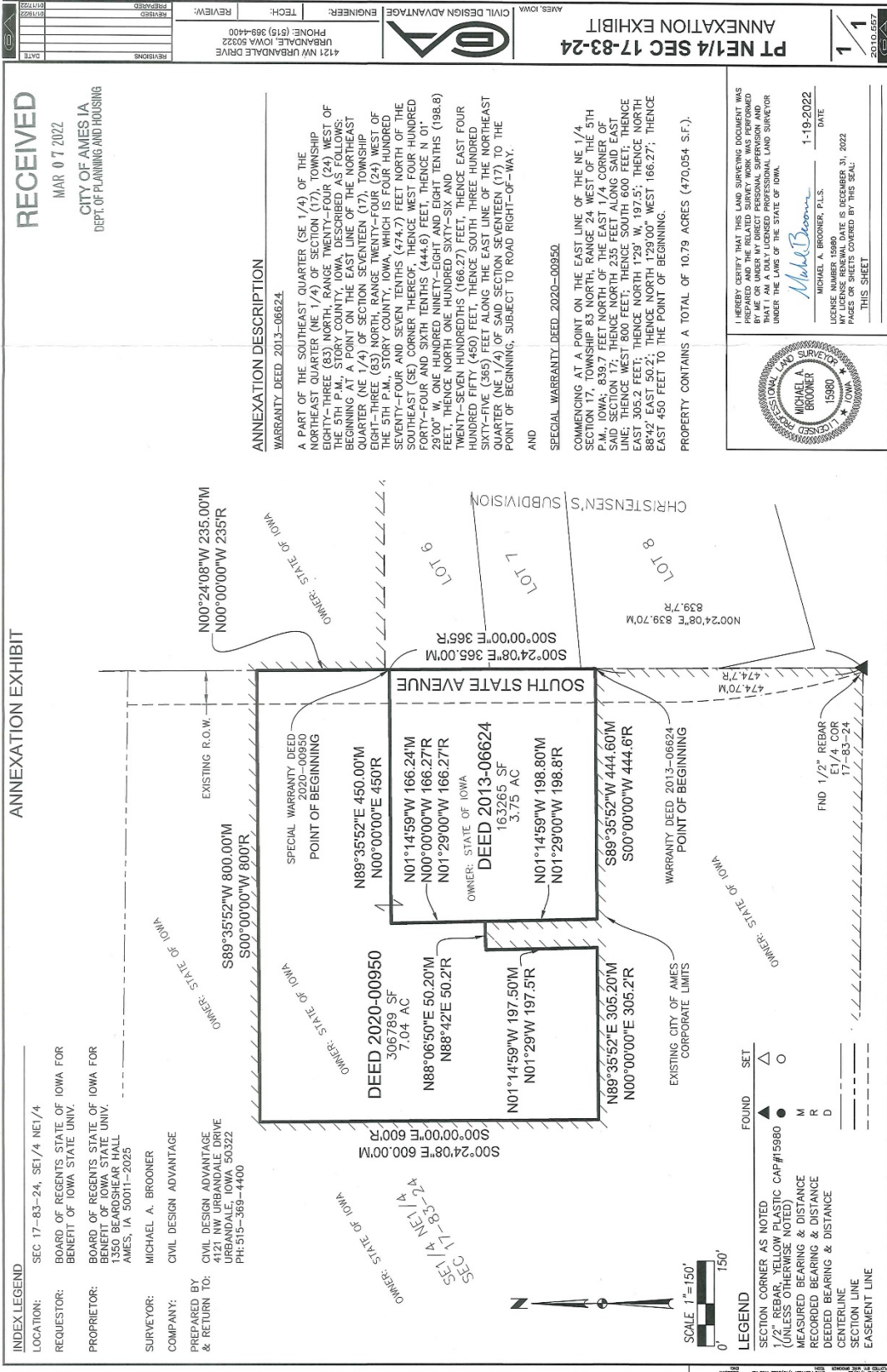




**Attachment B -  
Ames Plan 2040 Future Land Use Map (Excerpt)**



# Attachment C - Annexation Plat



**COUNCIL ACTION FORM**

**SUBJECT: TAX INCREMENT FINANCING REQUEST FOR SMALL LOT INDUSTRIAL DEVELOPMENT SUBDIVISION LOCATED AT 2105 & 2421 DAYTON AVENUE**

**BACKGROUND:**

In November 2021, the City Council directed staff to issue an RFP to solicit proposals for a new small-lot industrial development subdivision that would utilize Tax Increment Financing (TIF) to support the infrastructure construction.

The RFP included minimum requirements and identified issues that must be addressed by the respondents, with final terms to be negotiated with any final development agreement. Highlights of the City's interests in the RFP included: the size and type of subdivision, requirements to construct speculative buildings to expand economic development opportunities within the city, total development costs, land valuation and sale controls, and TIF duration not to exceed 10 years.

The deadline to submit a proposal was January 7, 2022. The City received only one proposal from Chuck Winkleblack representing the property ownership group Dayton Avenue Development LLC, for a 72.99 acre site along Dayton Avenue with approximately 50 acres being developable (Attachment A). **Although the proposal did not match all of the RFP's initial parameters, at the January 11 meeting, Council directed staff to continue negotiations with the developer and report back in March regarding conditions for an agreement.**

Since the January meeting staff has met with the developer multiple times to review the proposed subdivision concept (Attachment B) and to negotiate terms for a development agreement. **The developer has made what he considers to be his final proposal for the TIF subdivision. The basic terms that he is willing to accept for an agreement are described below:**

**DEVELOPER OBLIGATIONS:**

1. Subdivision and Platting:
  - a. Developer will be responsible for preparing all plans for the subdivision and related improvements at its cost according to all City standards.
  - b. Developer will final plat the entire subdivision by July 1, 2023.
  - c. The subdivision will include at least 7 small lots (less than 3 acres)
  
2. Infrastructure:

- a. Developer must construct all infrastructure within the subdivision and along Dayton Avenue to City standards (The City will not construct any infrastructure for the project)
  - b. Developer will be responsible for the extension of high-speed internet infrastructure (e.g. fiber) to serve the lots within the subdivision.
3. Speculative Buildings:
- a. Minimum speculative building size of 10,000 square feet.
  - b. Minimum speculative building shell valuation of \$500,000.
  - c. Developer will construct an initial speculative building to a “shell condition” completed by September 1, 2023.
  - d. Developer will construct subsequent speculative buildings within 18 months after the occupancy or leasing of the previous speculative building.
  - e. Penalties for failure to construct speculative buildings in a timely manner equal of \$15,000 for the first building and \$20,000 for any subsequent building.
4. Development:
- a. Prohibitions on primary uses within the subdivision for outdoor storage, mini-storage, and salvage uses.
  - b. Design covenants will be required for all buildings.
5. Valuation and Taxes:
- a. Minimum improvement value on each lot of \$350,000 per acre (exclusive of land value)
  - b. Allow for qualified uses to receive industrial tax abatement on lots over 5 acres
  - c. Limit agriculture classification of vacant lots to lots greater than 5 acres held by the developer, all other lots or third parties may not apply for the exemption.
  - d. Covenants designed to limit holding land for speculative purposes and actively marketing land.
  - e. Developer will limit sale prices for all lots to a price ceiling of \$2.50 per square foot with a 5% allowance for an annual increase.

**CITY TIF OBLIGATIONS:**

In return for the Developer’s obligations, the City will provide a TIF incentive for project as follows:

- a. Establish an Urban Renewal Area (URA) to allow for Tax Increment Financing (TIF)
- b. Provide the developer with an annual economic grant in the form of a Developer Rebate equal to the TIF generated within the URA equal to the total cost of water, sewer, road and other public infrastructure. The rebate will be based upon actual improvements that occur within the development.
- c. The TIF rebate total will not to exceed \$2.6 million, subject to staff verification

of actual costs of infrastructure. *(NOTE: If the final costs are less, the amount will be reduced; if costs are greater the developer would need to request the City Council increase the TIF amount)*

- d. The TIF would last until 2035, or payments totaling \$2.6 million, whichever occurs first.
- e. TIF reimbursement is subject to annual appropriation by City Council.

Additionally, a final agreement would use terminology and other terms from the Ames Community Development Park 4<sup>th</sup> Addition that relate to the above obligations.

### **RFP AND NEGOTIATIONS:**

The City's RFP allowed for a development proposal to include either City constructed public infrastructure financed with TIF or for a developer to construct infrastructure and receive a TIF rebate. Staff supports the rebate option for this project to both meet the developer's desired timeline for the subdivision starting this summer and to alleviate staff time for designing and bidding the project. The RFP identified a maximum TIF duration of 10 years. As proposed, the length of TIF would be until 2035 to allow for up to 10 years of rebated payments to the developer.

The Developer reviewed a six-year land absorption projection with staff as the basis for the 13-lot (7 small and 6 larger lots) project along with engineering estimates from Bolton and Menk for the cost of development. The Developer believes he may have two users for lots within the first year of the project to create a substantial increased valuation for the TIF. With the Developer's stated optimism and speculative building schedule of the agreement, staff estimates the developer may reach the \$2.6 million cap in 2033.

The subdivision would be required to meet all City subdivision standards and is also subject to access improvements from Dayton Avenue into the site. Staff reviewed construction estimates provided by the Developer's engineer and concluded public improvement costs would likely exceed \$2.3 million for water, sewer, subdivision road improvements, and Dayton Avenue turn lanes. These costs do not include subdivision development costs borne by the Developer such as engineering, contingency, grading and soil preparation.

The Developer articulated concerns about forecasting pricing in the current construction environment and requested including contingency for the project. **Staff supports setting a cap on total TIF to account for appropriate levels of investment by the City and to allow for contingency benefitting the Developer. If costs of the specified infrastructure are less the \$2.6 million, the City's incentive will be capped at the lower amount.**

Beyond the cost of infrastructure and total value of TIF, there were a number of terms included in the original RFP concerning development of a small lot industrial subdivision. **It should be pointed out that several of the proposed terms requested by the Developer differ from the City's position outlined in the original RFP pertaining to speculative buildings, uses, and land valuations.** A summary of key differences is



below:

Issue	Developer's Position	RFP/City Position
<b>Time to construct subsequent spec shell buildings</b>	18 months	12 months
<b>Speculative building valuation based on:</b>	Shell condition	Final improved values
<b>Warehouse/Low-Employee Intensive Uses</b>	Warehouse uses allowed	Low-employee intensive uses prohibited
<b>Industrial Tax Abatement</b>	Allowed on larger lots	Not allowed
<b>Vacant land ag classification</b>	Allowed on larger lots	Not allowed; all land valued as industrial whether vacant or not

Staff relied on the prior Ames Community Development Park 4<sup>th</sup> Addition (South Bell) and the Kingland Development agreement as models for terms of this agreement. Much of the language of the City's more recent TIF agreements would be included in the agreement. Staff accepts a number of these adjustments to the RFP terms are in response to specific developer interests, but generally accomplish the City's intent as defined within the RFP. A comparison table showing recent TIF agreements and this proposal is included in the addendum to this report.

**One of staff's priorities in granting a TIF incentive is to have new development added to the City's tax base as soon as possible, which is a philosophy consistent with other TIF agreements. However, in negotiations with the Developer it became clear that some of the City priorities for ensuring minimum valuations and limiting additional Industrial Tax Abatement were concerns to the developer affecting the marketability of the project.**

Previously, in TIF agreements with the Ames Community Development Park and ISU Research Park, the City assumed the risk by paying for the subdivision infrastructure with reimbursement coming from the TIF revenues as development occurred. **In this case, the Developer has proposed terms where they construct all improvements and receive a TIF rebate for these expenses while taking the risk of seeing development happen to generate the TIF. If the City agrees to the developer's terms that include allowing for industrial tax abatement and ag valuations, the maximum amount of TIF will not change, but the length of time it takes to payback the TIF may be greater.**

Negotiations for the project are complicated by the unknowns of the construction costs and the Developer's interest to move quickly with subdivision based upon potential users for sites in the first year of the project. **If the City Council determines the projected expenses are too high or desires additional time to consider different terms for a development agreement, the City Council could choose to ask the Developer to divide the project into two phases and allow for the developer to move ahead with an initial phase for the south 10-15 acres of the site and to focus on negotiations for**

**a future second phase with small lots located to the north. This approach would allow the City and Developer time to measure the market interest in development site. However, the Developer has indicated an interested in an agreement at this time for the whole site.**

**ALTERNATIVES:**

1. If the City Council believes the final terms proposed by the Developer are satisfactory, then direct staff to finalize the proposed agreement consistent with terms described above and return to City Council for final approval of a contract in April.
2. If the City Council believes the final terms proposed by the Developer are unsatisfactory and wants to seek changes, then direct staff to attempt to negotiate modified terms into a final agreement and return to City Council for final approval of a contract in April
3. If the City Council determines the projected expenses are too high or desires additional time to consider the proposed terms of the Developer, then direct staff to negotiate terms for an agreement for a second phase of development focused on small lots in 2023 for the north 30-40 acres of the site.
4. If the City Council determines that the final terms proposed by the Developer diverge too much from those that have been successful included in other TIF agreements, then reject proposal and discontinue the process for a small lot industrial subdivision with City incentives.

**CITY MANAGER'S RECOMMENDED ACTION:**

The City initiated the RFP process in support of expanding small industrial development opportunities and development of speculative buildings through the use of city incentives. The Developer's proposed 13-lot concept is consistent with these objectives in combination with the proposed speculative building plans.

The proposed \$2.6 million amount of the TIF rebate through 2035 is seen as achievable by City staff based upon the Developer's projections. The amount is capped overall and will require the developer to provide verified costs related to the specified infrastructure. If the costs are substantially more than \$2.6 million the developer and City would need to reevaluate the desirability of this project.

The Developer's proposal does depart from specific terms recommended by the Staff in previous TIF agreements. This approach The developer states the proposal is their final proposal in order to move ahead with the agreement and meet their development goals of starting the project this summer.

**While the Developer's final terms articulated during the negotiations depart substantially from previous TIF agreements and Staff recommendations, they do**

**flip the risk from the City to the Developer, who will upfront all of the infrastructure costs in the hope that incremental tax receipts through 2035 will reimburse their costs. In addition, this reimbursement approach to pay for the infrastructure costs will not count towards our debt capacity. Furthermore, while allowing the availability of Industrial Tax Abatement for the large lots will elongate the TIF payback, it will not change the total amount of the TIF incentive that is being offered.**

**Therefore, assuming the City Council still believes in the need for small industrial lots and is willing to provide a TIF incentive to one developer to accomplish this objective, it is the recommendation of the City Manager that the City Council adopt Alternative #1.**

## Addendum

As stated above the proposal closely follows the manner in which previous TIF agreements in other areas of the City have been structured with similar provisions. Below is a chart illustrating key components of similar agreements in comparison to this proposal. The chart compares this proposal with that of the 2009 Bell Avenue Ames Community Development Park 4<sup>th</sup> Addition TIF Agreement where the City installed the infrastructure reimbursed with TIF proceeds and the 2013 Kingland Systems Development Agreement in Campustown where the TIF proceeds were rebated to the property owner to pay for the projected financing gap of the project.

<b><u>Terms</u></b>	<b>Dayton Avenue Industrial</b>	<b>Ames Community Development Park 4<sup>th</sup> Addition (Bell Avenue)</b>	<b>Kingland Agreement</b>
<b>Subdivision Size</b>	13 Lots total, 7 small lots	14 lots total, 10 small lots	NA (Site Size 1.4 Acres)
<b>TIF Amount</b>	Developer rebate up to \$2.6 million, subject to verification	City reimbursement of up to \$875,000	Property Owner rebate of \$2,064,530
<b>TIF Duration</b>	2022 to 2035, up to dollar cap	2009 up to dollar cap (not yet reached)	2013 to 2026, up to dollar cap (completed)
<b>Spec Bldg. Value (Shell)</b>	Spec Bldg. Minimum Value \$500K	Spec Bldg. Minimum Value \$350K	NA
<b>Spec Building Size</b>	Minimum 10,000 sq. ft. in size	Minimum 10,000 sq. ft. in size	Ground floor of 3-story building minimum of 22,596 sq. ft. of leasable retail space
<b>Speculative Building Timeline</b>	1 <sup>st</sup> building by Sept. 2023. Subsequent buildings within 18 months of lease, sale, or occupancy of previous.	1 <sup>st</sup> building within 18 months. Subsequent buildings within 18 months of lease, sale, or occupancy of previous.	NA
<b>Penalties/ Security</b>	No security on Spec Bldg. Penalty for failure to complete on time of \$15k and \$20k	Security required of \$350K at beginning of agreement. Additional \$350K per failure to construct. <i>Note not implemented.</i>	None

*Continue next page*

<b>Ag Classification</b>	Ag Classification on large lots allowed, unless sold to third party.	Ag Classification Allowed	NA
<b>Industrial Tax Abatement</b>	Industrial Tax Abatement on lots over 5 acres.	No Industrial Tax Abatement Allowed.	No Tax Abatement of any type permitted
<b>Land Price Ceiling</b>	Sale price cap at \$2.50 per sq. ft. (\$108,900/ac) with allowed increase of 5% per acre every July 1 <sup>st</sup> .	2009 sale price cap on all lots of \$55K per acre with increase of 5% per acre every starting July 1, 2011. <i>Allowable cost 2009 to 2022 will be \$98,772/ac</i>	NA
<b>Minimum Improvement Value</b>	Building value equal to \$350K or more per acre of the individual site. Applies to all lots	Building value equal to \$266K or more on lots over 1.5 acres in size.	Minimum assessment of \$8,840,545
<b>Use Limitations</b>	Prohibit principal uses of storage, outdoor, mini-storage and salvage	Covenant limiting storage, trailers, mobile homes	Restricted specified list of uses, required office, retail, rest., entertainment
<b>Design</b>	To be determined	Covenants limiting building materials, 60% corrugated metal, increased setbacks.	Council approved Site and Building Concept



# Attachment A-Location Map

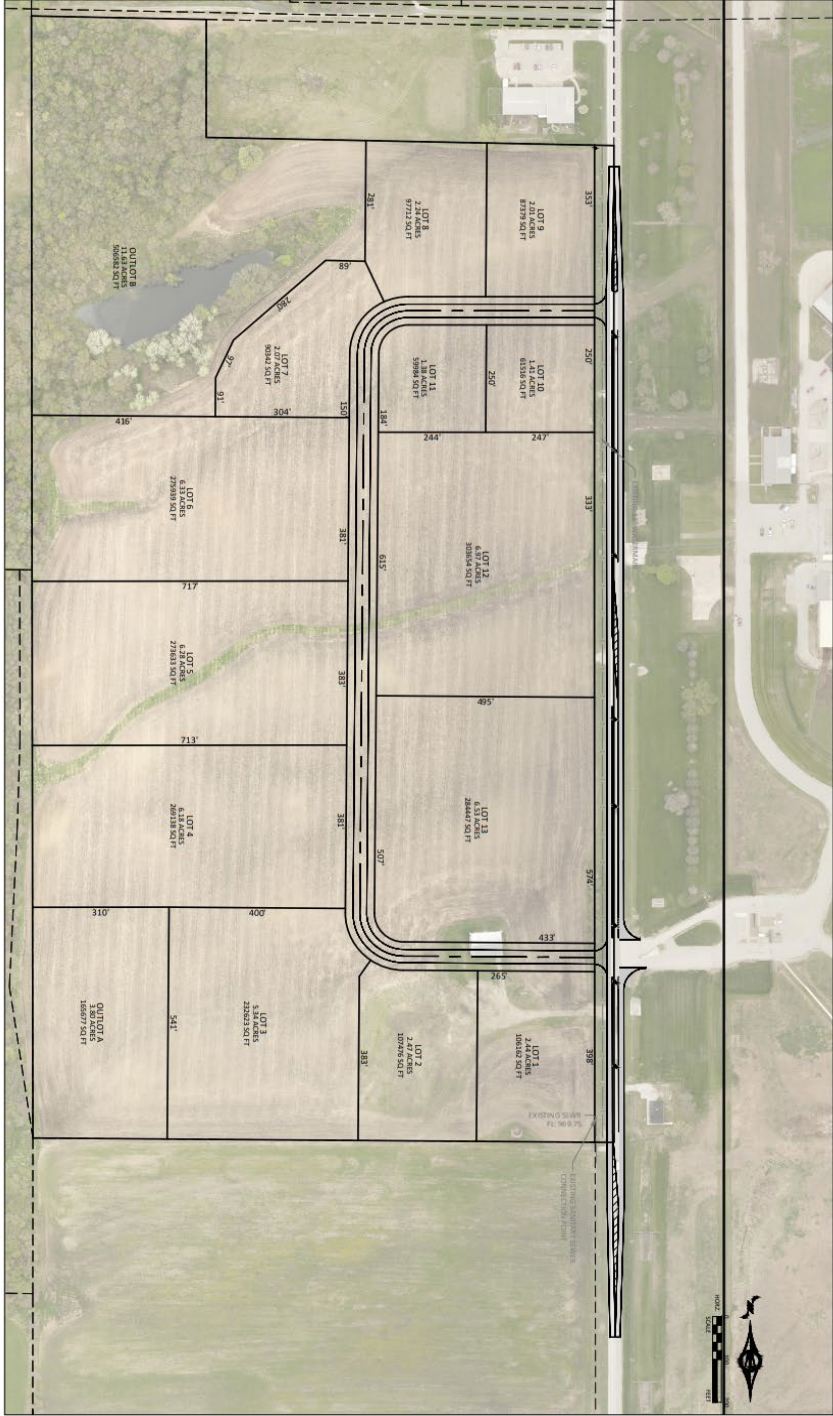


## 2105 & 2421 Dayton Avenue Location Map



Attachment B-Subdivision Concept





2105 Dayton  
Hunziker

Concept Layout  
March 2022  
**BOLTON & MENK**

**COUNCIL ACTION FORM**

**SUBJECT: 2022-23 PROPOSED ANNUAL ACTION PLAN PROJECTS FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME PROGRAMS**

**BACKGROUND:**

As part of the City's approved 2019-23 Five-Year Community Development Block Grant (CDBG) and HOME Consolidated Plan, the City must submit an Annual Action Plan that outlines the proposed activities and budget to be implemented in the upcoming year. Those activities should be consistent with the goals and priorities identified in the Consolidated Plan. The goals and priorities the City identified in its 2019-23 Consolidated Plan are outlined in Attachment 1 along with the housing barriers that were identified in the 2019 Fair Housing Impediments Study.

The activities identified in the Annual Action Plan should address the housing and community development needs of low- and moderate-income persons as well as the housing and community development needs of non- low- and moderate-income persons in the community. The Annual Action Plan can address one or all of the goals and priorities of the housing and community development needs identified in the Consolidated Plan.

HUD regulations require that the Annual Action Plan be submitted for approval within 45 days before the beginning of the program fiscal year (i.e., by May 17, 2022). It also requires that the Plan be published for 30 days to allow for citizen input on the proposed project(s) for the utilization of the funds.

**Although the President signed the 2022 omnibus appropriations bill on March 15, the 2022 CDBG and HOME funding allocations for entitlement cities has not yet been announced. Nevertheless, it is time to begin the process for determining the 2022-23 Annual Action Plan Projects in order to be prepared to meet the federal timelines.**

As in the past, staff has provided the City Council with proposed plan priorities and potential projects prior to conducting forums for public input. With City Council concurrence on the proposed projects, staff will continue with drafting the plan and completing public outreach before returning to City Council for final approval.

Prior to proposing activities for the Annual Action Plan, staff reviews the following HUD guidelines that outline key steps:

- Determine if the proposed activity is included in the listing of eligible activities



- Determine if the proposed activity meets the City's Consolidated Plan priority goals for addressing the needs of low- and moderate-income persons within the community
- Determine if the proposed activity can meet one or more National Objectives
- Ensure that carrying out the activity will meet HUD's requirement that 70% of the grantee's CDBG expenditures, over a three-year period, will be on activities that benefit low- and moderate-income persons
- Meet the performance measurement requirements

Staff proposes the following programs for consideration for the 2022-2023 Annual Action Plan (see Attachment 2 for itemized budget) to continue to address the needs outlined in the Consolidated Plan data:

1. Utilize CDBG funds to provide down payment and closing cost assistance to eligible first-time homebuyers in the Baker Subdivision.
2. Utilize CDBG funds to provide rehabilitation assistance for single-family homeowners.
3. Utilize HOME funds to provide gap financing to the construction of Low Income Housing Tax Credit (LIHTC) multi-family units in the Baker Subdivision.
4. Utilize CDBG funds to acquire and demolish deteriorated residential and/or commercial properties city-wide and resell the property for redevelopment. (Up to 30% of this annual allocation can be used for non-low- and moderate-income benefit directed toward removing slum and blight.)

Staff believes that focusing on these four programs for the 2022-23 will help make an impact on the need outlined within the Consolidated Plan, while accomplishing program projects that have been adopted in the previous action plans that have not been completed. It is important to remember that with both CDBG and HOME funds the City Council can modify programming each year to accomplish housing needs in the community after new publication notices.

Staff's rationale for recommending to continue these project activities for 2022-23 is as follows:

- The project activities are consistent with the current adopted 2019-23 Five-Year Consolidated Plan goals. Along with the two barriers that were outlined in the 2019 Impediments to Fair Housing Analysis Study (see Attachment 1). Additionally, the data outlined in the Comprehensive Housing Affordability Strategy (CHAS), and the American Community Survey (ACS) information for the City of Ames is consistent with the needs outlined above.

- The proposed projects are consistent with long term **CDBG City Council goals and priorities to focus on neighborhood sustainability by improving and expanding the housing stock for in low- and moderate-income households and in our vital core neighborhoods.**
- The proposed implementation sequence for the project activities should help meet HUD's timely expenditure requirements.
- Over 90% of the activities proposed would be of 100% benefit to low- and moderate-income persons.

**Because the City has not been notified of the amounts that will be allocated for 2022-23 program year, we have been advised to project the current 2021-22 CDBG allocation of \$599,177 and HOME allocation of \$350,543 for budgeting for the purposed 2022-23 Action Plan projects.**

For CDBG, of the \$599,177 new allocation, approximately \$479,341 is available for programming after accounting for 20% of funding for administration. This new allocation assumption does not include any 2021-22 anticipated program roll-over funds or program income. Staff is cautiously anticipating a rollover balance of approximately \$600,000, and program income of \$50,938. Total projected revenue for the upcoming 2022/23 would be of \$1,250,115.

For HOME, of the \$350,543 new allocation, approximately \$262,908 is available for programming after excluding the 15% CHDO set aside of \$52,581 and \$35,054 for administration. Staff under this program is anticipating a rollover balance of approximately \$1,681,068 remaining from program years 2018-19, 2019-20, 2020-21, and 2021-22. Total projected revenue for the upcoming 2022/23 would be \$1,979,030 (including administration, but less the CHDO set aside).

Staff is recommending that the anticipated CDBG budget of \$1,130,279 (less administration) be allocated to the project activities outlined in Attachment 2. The need to expand and maintain the supply of affordable housing for low- and moderate-income households can best be accomplished through the implementation of the Homebuyer Assistance Program, Homebuyer Housing Improvement Programs. These program amounts represent about 64% of the total funding directly toward housing related programs.

Staff is recommending that the anticipated HOME budget of \$1,801,222 (less administration and CHDO set aside) be allocated to the project activities outlined in Attachment 2. The need to expand and maintain the supply of affordable rental housing for low- and moderate-income households can best be accomplished through providing gap financing for a potential Low Income Housing Tax Credit (LIHTC) project.

This gap financing priority is consistent with the City Council's direction from March 8 to

continue to work with Prairie Fire on the details of a modified multi-family affordable housing project within the Baker Subdivision with a maximum level of assistance of \$2,000,000. The developer has been working with staff, but a final proposal for the site is not yet available. Staff anticipates returning to City Council with an update from Prairie Fire in April, well before we finalize the final Annual Action Plan.

Once City Council provides direction for the proposed 2022-23 Annual Action Plan projects, staff will proceed with hosting public forums for citizen input and feedback. **Public feedback will be shared with City Council for final project selections in order to proceed with preparing the 2022-23 Annual Action Plan for the 30-day public comment period, once the 2022-23 allocations are announced. Also, due to the late announcement of allocations, staff anticipates requesting a submittal extension to August 16, 2022, from HUD.**

**ALTERNATIVES:**

1. Approve the proposed 2022-23 Annual Action Plan Program Projects and proposed budget in connection with the City's Community Development Block Grant Program described in Attachment 2 and direct staff to host public forums for citizen input and feedback.
2. Approve modified 2022-23 Annual Action Plan Program Projects and budget in connection with the City's Community Development Block Grant Program, and direct staff to host public forums for citizen input and feedback.
3. Refer this item back to staff with further direction.

**CITY MANAGER'S RECOMMENDED ACTION:**

With the federal budget just recently approved, staff needed to begin the process of soliciting public feedback for proposed Action Plan projects even though the 2022-23 CDBG/HOME Allocations have not yet been announced. Outlining draft projects while utilizing the 2021-22 allocation amounts for budgeting projections helps in determining the most needed projects in conjunction with the 2019-23 Consolidated Plan and the City Council's priorities.

It should be noted that the proposed 2022-23 Annual Action Plan does not include the additional HOME American Rescue Plan (ARP) funding of \$1,269,248. This money is subject to an amendment to the current Annual Action Plan and will be in addition to the resources outlined within Attachment 2.

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

## **ATTACHMENT 1**

### **2019-23 Five-Year Consolidated Plan Goal and Priorities**

**Utilize and leverage CDBG and HOME Funds through “private, non-profit and public” partnerships to:**

1. To create and expand affordable housing for low-income households through:
  - Increase supply of single family or two-family housing for ownership in the Neighborhood Revitalization Strategy Area (NRSA);
  - Reduce the cost burden for low-income households to access or maintain rental housing citywide; and
  - Increase the affordability and availability of owner housing for homebuyers citywide

### **2019-20 Fair Housing Impediments Study Barriers and Needs**

1. The supply of housing for lower income households for renting; and
2. The cost of housing for lower income households for both renting and home buying.

**The major difference from the 2014-19 data, is that the cost of housing is now #1 and the availability is of housing is now #2.**

## ATTACHMENT 2

### 2022-23 DRAFT Proposed CDBG/HOME Annual Action Plan Projects and Budget

<b>DRAFT PROPOSED 2022-23 Action Plan Expenditure Budget:</b>	
<b>Programs</b>	<b>Budget</b>
CDBG Homebuyer Assistance Program (Down payment and Closing Cost)	\$500,000
Housing Improvement Rehabilitation Program for Single-family Homeowners	\$225,000
Infrastructure Pocket Park Improvements-Baker Subdivision	\$130,000
Acquisition/Slum and Blight Removal Program	\$275,279
CDBG-CV CARES (Rent, Mortgage & Utility) Relief Assistance	\$58,282
CDBG-CV CARES Public Services Assistance-Mental Health (To Be Determined)	\$85,000
HOME Multi-Family LIHTC Assistance New Construction	\$1,801,222
General Administration for CDBG, HOME & CARES	CDBG: \$119,836 HOME: \$177,808 CARES: \$10,000
<b>Total</b>	<b>\$3,382,427*</b>
<b>DRAFT PROPOSED 2022-23 Action Plan Revenue Budget:</b>	
2022-23 Anticipated CDBG Allocation	\$599,177
2021-22 Anticipated CDBG Program Rollover	\$600,000
2021-22 Anticipated CDBG Anticipated Program Income	\$50,938
2021-22 Anticipated CDBG-CV CARES Rollover	\$153,282
2022-23 Anticipated HOME Allocation	\$350,543
2020-21 Anticipated HOME Program Rollover (Admn & Programming)	\$1,681,068
2022-23 Minus Anticipated CHDO Set Aside	- \$52,581
<b>Grand Total CDBG &amp; HOME</b>	<b>\$3,382,427*</b>

\*City Council should note that the anticipated revenue for the CDBG program rollover and the anticipated program income are cautious estimates being projected by staff. These projections will be adjusted when the 2022-23 allocations are announced.

ITEM#: 29  
DATE: 03-22-22

**COUNCIL ACTION FORM**

**SUBJECT: SALE OF AIRPORT PROPERTY TO MULMAC LLC (FOR SIGLER, AMES)**

**BACKGROUND:**

On January 14, 2020, City Council approved the sale of 1101 Aviation Way to Mulmac LLC, the current land lessee for that property. The operating business on the property is Sigler Companies. The agreed upon price includes the present value of the lease rights through June 30, 2047, the value of the land, and the improvements made on the property per the developer's agreement. The total sale price for this property is \$2,838,250. The staff report detailing how this price was established has been attached for reference (Attachment 1).

Staff has verified that this land was not acquired with federal funds., Therefore, the City is not required to follow the Federal Aviation Administration (FAA) process for the sale of this land.

The subdivision creating and preparing the lot for sale and establishing new street right-of-way for Aviation Way was approved by City Council on September 14, 2021. A public hearing regarding the sale was held on March 8, 2022. The sale closing date has been set for April 1, 2022. An agreement to sell the property has been signed by Mulmac (Attachment 2).

**Land leases are a critical revenue generating activity for the Airport. To ensure the solvency of the Airport's operating budget after this sale, staff will invest the proceeds from the sale and transfer an annual amount equal to the lease payment schedule (Attachment 3) as operating revenue for the airport. This will make sure the current revenue structure of the Airport is maintained into the future.**

**ALTERNATIVES:**

1. Approve the sale of Airport property at 1101 Aviation Way to Mulmac LLC with a closing date of April 1, 2022.
2. Direct staff to make modifications to this timeline.

**CITY MANAGER'S RECOMMENDED ACTION:**

Selling the property at 1101 Aviation Way to Mulmac, LLC (Sigler) will ensure the ongoing revenues for Airport Operations. It will also eliminate the Airport's future responsibility in

2047 to take over the Sigler industrial building, which at that point would be 50 years old. That is an activity/property that the Airport is not well-positioned to market or maintain.

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

ITEM #: 47  
DATE: 01/14/20

**COUNCIL ACTION FORM**

**SUBJECT: REQUEST FROM SIGLER COMPANIES TO PURCHASE AIRPORT PROPERTY AND BUY OUT REMAINDER OF LEASE/DEVELOPER AGREEMENT FOR 3100 S. RIVERSIDE DRIVE**

**BACKGROUND:**

On September 20, 2019, Chris Eggert, representing the Sigler Companies, wrote a letter to the Mayor and City Council requesting to buy out the remainder of their lease, purchase the land at 3100 S. Riverside Drive from the Airport, and amend the development agreement for the property that states that the buildings and all improvements on the property revert to City ownership at the conclusion of the lease on June 30, 2047. The letter is attached.

The Airport property being leased by Sigler is at 3100 S. Riverside Drive (see attached map) and was originally created as part of a Development Agreement with Vantage Enterprises, LLC, in May of 1997. The agreement had a 50-year lease term beginning on May 27, 1997, which was sublet to VisionAire to build single-engine jet aircraft. Since that time, the lease has changed ownership two times from Vantage Enterprises, LLC to Dayton Park, LLC, in September of 2004 who sublet the building to Clarion Technologies. Finally, it was sold to Mulmac, LLC in April of 2007. Mulmac, LLC, is leasing the space to Sigler Companies, Inc.

**FAA REQUIREMENTS:**

When an Airport is considering the sale of high-value property, defined as \$1,000,000 or higher, the FAA requires a minimum of two (2) appraisals by certified land appraisal companies and an independent third-party review of the two appraisals. The Airport owner must use the higher valuation of the two as a starting point for the negotiation of the sale. Generally, it is the Airport's responsibility to justify to FAA that the release of Airport property (a one-time cash sale) is more beneficial than the long-term revenue-generating potential of keeping it as part of the Airport. **Therefore, before the purchase can be approved, staff will need to provide the justification to the FAA for its approval.**

**AIRPORT LAND APPRAISALS:**

The City solicited quotes from multiple land appraisals firms in Iowa that meet FAA's standards. On November 30, 2018, the first appraisal was completed by Nelsen Appraisal Associates (NAA), Inc. of Urbandale, Iowa. On March 15, 2019, the second appraisal was completed by Commercial Appraisers of Iowa (CAI), Inc. of West Des Moines, Iowa. **It should be noted before the final purchase agreement can be approved, a third-party appraisal review must be performed.**



Below is a summary of the two appraisals:

<b>Property Value (Land, Buildings, and Improvements)</b>	<b>Commercial Appraisals of Iowa</b>	<b>Nelsen Appraisal Associates</b>
Value as of June 30, 2047	\$5,030,000	\$3,050,682
Present Value	\$1,420,000	\$1,315,000

<b>Property Value (Land Only)</b>		
Land (\$/SF)	\$1.80	\$1.60
Land (12.75 ac)	\$999,720	\$888,640
Rounded to (x\$1,000)	\$1,000,000	\$889,000

The table above shows that the CAI appraisal is the higher of the two evaluations and must be used as the basis for the price negotiation per FAA regulations. FAA will require that the property be sold for no less than highest present value of the two appraisals, which is currently estimated to be \$1,420,000.

**CITY VALUATION OF THE SALE:**

For the City to be made whole by a potential sale of the leased property at 3100 S. Riverside Drive there are three considerations; 1) the value of the lease and payments to the Airport operating fund, 2) the value of the land, and 3) the value of the improvements made on the land (two buildings and pavement) as part of development agreement.

**Value of Lease:**

The buy out of the lease in the appraisal (using CAI’s numbers) assumes a private sector discount rate of 7.25%. However, the City, as a public agency, cannot reinvest the money at that rate. Finance staff indicated that potential interest rates could be invested at approximately 2.28%.

A more appropriate method would be to look at the present value of the lease payments using the 2.28% rate, which is shown in the table below:

	<b>Year</b>	<b>Rent Per Acre</b>	<b>Number of Acres</b>	<b>Total Rent</b>	<b>PV Factor</b>	<b>PV of Cash Flow</b>
FY	2020	\$4,463	12.75	*\$28,452	100.0%	\$28,452
FY	2021	\$4,597	12.75	\$58,612	97.8%	\$57,305
FY	2022	\$4,734	12.75	\$60,359	95.6%	\$57,698
FY	2023	\$4,877	12.75	\$62,182	93.5%	\$58,116
FY	2024	\$5,023	12.75	\$64,043	91.4%	\$58,521
FY	2025	\$5,173	12.75	\$65,956	89.3%	\$58,925
FY	2026	\$5,329	12.75	\$67,945	87.3%	\$59,349
FY	2027	\$5,489	12.75	\$69,985	85.4%	\$59,768
FY	2028	\$5,653	12.75	\$72,076	83.5%	\$60,182
FY	2029	\$5,823	12.75	\$74,243	81.6%	\$60,609
FY	2030	\$5,997	12.75	\$76,462	79.8%	\$61,029
FY	2031	\$6,177	12.75	\$78,757	78.0%	\$61,460
FY	2032	\$6,363	12.75	\$81,128	76.3%	\$61,899
FY	2033	\$6,554	12.75	\$83,564	74.6%	\$62,336

FY	2034	\$6,750	12.75	\$86,063	72.9%	\$62,769
FY	2035	\$6,953	12.75	\$88,651	71.3%	\$63,215
FY	2036	\$7,161	12.75	\$91,303	69.7%	\$63,655
FY	2037	\$7,376	12.75	\$94,044	68.2%	\$64,105
FY	2038	\$7,597	12.75	\$96,862	66.6%	\$64,554
FY	2039	\$7,825	12.75	\$99,769	65.2%	\$65,009
FY	2040	\$8,060	12.75	\$102,765	63.7%	\$65,468
FY	2041	\$8,302	12.75	\$105,851	62.3%	\$65,931
FY	2042	\$8,551	12.75	\$109,025	60.9%	\$66,394
FY	2043	\$8,808	12.75	\$112,302	59.5%	\$66,865
FY	2044	\$9,072	12.75	\$115,668	58.2%	\$67,334
FY	2045	\$9,344	12.75	\$119,136	56.9%	\$67,807
FY	2046	\$9,624	12.75	\$122,706	55.6%	\$68,282
FY	2047	\$9,913	12.75	\$126,391	54.4%	\$68,765
*Partial Year				\$2,414,300	PV Lease=	\$1,725,802

**Value of Land:**

Staff agrees with the CAI appraisal of the land at \$1 million dollars as shown below:

Property Value (Land Only)	CAI Appraisal
Land (\$/SF)	\$1.80
Land (12.75 ac)	\$999,720
Rounded to (x\$1,000)	\$1,000,000

**Value of Buildings & Improvements:**

As stated in the Background section of this report, the buildings (improvements) are set to revert to City (Airport) ownership at the end of the lease term on June 30, 2047. Agreements such as the one that was created with Vantage Enterprise, LLC (VisionAire) are common for Airports. This provision was included in the 1997 agreement because the FAA prohibits general private development on Airport property unless, at some point, it becomes a permanent part of the Airport itself or the Airport is compensated for the use of its property.

However, staff would consider it a liability for the Airport if the City would have to take back ownership of the manufacturing/warehouse building (101,447 SF). This structure was designed for manufacturing purposes and not for Airport hangar storage; therefore, it is unlikely the City could get a positive net operating revenue from that building without finding another manufacturing tenant to lease the property. **Therefore, the City would consider the warehouse building to have zero value, if not negative, due to the high-risk of potential maintenance and utility costs of a building that size.**

**However, the 15,120 SF airplane hangar building (Sigler is currently using the building for storage) does have long-term value to the Airport. The CAI appraisals show that the current depreciated value of the hangar to be \$112,448, and the full replacement value (new) is \$675,000.**

To summarize, the City will need to consider the sale of the property and lease buy out, while ensuring that the Airport can justify to the FAA that the sale is more beneficial than retaining the revenue-generating property in perpetuity. To do this, the estimated Fair

Market Value from the appraisals should be reconciled with the City's actual potential for long-term use and re-investment strategy. A summary of potential purchase price calculations is provided below:

	City of Ames (Option 1)	City of Ames (Option 2)
Lease Buy Out	\$1,725,802	\$1,725,802
Land Value	\$1,000,000	\$1,000,000
Buildings	\$112,448	\$675,000
	\$2,838,250	\$3,400,802

**Under Option 1, using a conservative cash flow estimate, the City could reinvest the total estimated payment amount of \$2,838,250 and then pay the Airport operating budget an annual amount equal to the remaining lease payment schedule. At the end of the current lease term on June 30, 2047, it is estimated that there will be a significant amount of the original principle remaining.** Staff believes Option 2 is not appropriate since it effectively requires Sigler to pay full new replacement value for a 20 year old hangar building.

**ALTERNATIVES:**

1. Agree that the City is willing to sell the land and buildings (**includes the deprecated value of a new 15,000 SF hangar**) to Mulmac, LLC, for \$2,838,250 and direct staff to work with City Attorney to:
  - a. Draft an amendment to the development agreement.
  - b. Draft an amendment to the land lease (setting an end date).
  - c. Draft an agreement to purchase the property.
  - d. Conduct the third party review of the two appraisals.
  - e. Work with the FAA to obtain approval of the sale.
  
2. Agree that the City is willing to sell the land and buildings (**includes the full value of a new 15,000 SF hangar**) to Mulmac, LLC, for \$3,400,802 and direct staff to work with City Attorney to:
  - a. Draft an amendment to the development agreement.
  - b. Draft an amendment to the land lease (setting an end date).
  - c. Draft an agreement to purchase the property.
  - d. Conduct the third party review of the two appraisals.
  - e. Work with the FAA to obtain approval of the sale.
  
3. Reject the request to buy Airport property, thereby directing staff to maintain the current lease and development agreement.

**CITY MANAGER'S RECOMMENDED ACTION:**

The leased property on the Airport at 3100 S. Riverside was created over 23 years ago under significantly different financial conditions than what the Airport (and the market) is facing today. The two buildings on the property were originally constructed for the

manufacturing a single engineer jet and were not designed to serve Airport users, which is the primary purpose of the Airport itself.

There appears to be several benefits from selling the property that will result in a “win/win” situation for the City and Sigler Companies.

#### Risk Avoidance

The current agreement designates that the City will have ownership of the buildings once the lease terminates. If vacant, the City would be at risk to find a new tenant who would be willing to pay the projected lease payment along with the property taxes. By selling the building to the Sigler Companies, the City would avoid a future economic risk.

#### Operational Revenue

The annual lease payments are currently transferred to the Airport operating budget to help reduce any property tax support for this facility. With the sale that is being proposed, the proceeds can be deposited in a reserve account and annual payments that are equivalent to the current lease schedule can be made to the Airport operating budget. In this way the revenue stream can be maintained.

#### Compatibility With Airport Operations

An advantage to owning the property and improvements is the fact that the City can assure that the use does not interfere with the operations of the Airport. This protection can still be achieved with the requirement that an Avigation Easement be placed on the property.

In addition, it is important to note that the Airport Master Plan has historically shown the lease parcel at 3100 S. Riverside Drive as being a “non-aeronautical use,” meaning it is not needed for the service or operation of aircraft. Therefore, it should not have any negative impacts to the Airport by selling the property.

#### Property Taxes

Currently, the City receives tax revenue from the tenant. If the City takes ownership of the property and cannot rent the facilities, no tax revenue would be received. In addition, purchasing the property may facilitate future expansion of Sigler’s operations at this site, resulting in an incremental increase in tax revenue.

**Sigler has indicated to staff that they support the approach and dollar amount described in Alternative 1. At this time, staff cannot identify all the legal or regulatory steps that might ultimately be needed to complete this transaction. Therefore, the City Manager recommends that the City Council adopt Alternative No. 1, directing staff to move forward with an approved conceptual approach to the sale for \$2,838,250, and work with the City Attorney and the FAA to complete all necessary documents before bringing back this issue for final City Council approval.**

**REAL ESTATE PURCHASE AGREEMENT**

THIS REAL ESTATE PURCHASE AGREEMENT (“the Agreement”) is made and entered into as of \_\_\_\_\_, 2022, by and between the CITY OF AMES, IOWA, hereinafter referred to as “Seller” and MULMAC, LLC, an Iowa limited liability company, hereinafter referred to as “Buyer;” WITNESSETH:

WHEREAS, Seller is the fee title owner of real property adjacent to the Ames Municipal airport;

WHEREAS, Buyer desires to purchase the real estate from Seller, all upon the terms and conditions set forth in this Agreement;

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, for other good and valuable consideration, it is agreed as follows:

1. Purchase and Sale of Property. Subject to the terms and provisions of this Agreement, Buyer agrees to purchase and Seller agrees to sell, the following described real estate (the “Real Property”) situated at 1101 Aviation Way (formerly known as 3100 S. Riverside Drive) in the City of Ames, Story County, Iowa, to-wit:

Parcel “S” in the South Half of the Southeast Quarter (S½-SE ¼) of Section 15, Township 83 North, Range 24 West of the 5<sup>th</sup> P.M., City of Ames, Story County, Iowa, as shown on the “Plat of Survey” filed in the office of the Recorder of Story County, Iowa, on September 30, 2021, as Instrument No. 2021-12553.

(approximately 12.75 acres).

Subject to any existing easements and rights-of-way of record; and

Subject also to easements reserved as shown in Exhibit A; which shall survive the performance of this agreement.

2. Purchase Price. The total purchase price to be paid by Buyer to Seller for the real property shall be <sup>U.S.</sup> **\$2,838,250.00**, payable in cash, or cash equivalents, on the Closing Date. The total purchase price for the purpose of this Agreement was set by the Ames City Council at its regular meeting on January 14, 2020.

3. Closing. The Closing of this Agreement shall take place on the on or before April 1, 2022, (“Closing Date”) in the office of the City Clerk, 515 Clark Avenue, Ames IA 50010, or such other time and place as the parties may mutually agree. If a portion of the purchase price is to be derived from a commercial lender, reasonable requirements of the lending institution as to place, time of day and procedures for Closing and for disbursement of mortgage proceeds shall control over contrary provisions of this Agreement. At Closing, Seller shall furnish, if applicable

and as required: the deed; a Title Guaranty or title insurance affidavit; a mechanic's lien affidavit; an assignment of leases; the Iowa Department of Revenue's required Declaration of Value Statement; the Iowa Department of Natural Resources' required Groundwater Hazard Statement; proof of authority to execute instruments on behalf of an entity; a certificate duly executed by Seller under penalty of perjury certifying that each Seller is not a "foreign person" as may be required under 26 U.S.C. sec. 1445, as amended, and any regulations thereunder; and any corrective title instruments. The Iowa Real Estate Transfer Tax pursuant to chapter 428A of the Code of Iowa, the cost of preparing instruments necessary to convey title and to document authority of or reliance on Seller's authority to convey shall be paid for by Seller. All recording fees shall be the responsibility of Buyer.

4. Date of Possession. Possession of the Real Property shall be delivered to the Buyer on the Closing Date (as defined herein).

5. Date for Accruals. If Seller and Buyer hereafter select an alternate Date of Possession, such alternate date shall become the effective date for the accrual and proration of rental payments and any other contractual charges due and owing, as the same may be applicable.

6. Closing Contingency. Time is of the essence for this Agreement. If, for any reason, Closing does not occur prior to July 1, 2022, this Agreement shall be null and void and neither party shall have any obligation to the other and this Agreement shall terminate.

7. Abstract and Title. Buyer shall be solely responsible for the costs of title searches, abstracting, and title guaranty or title insurance. Buyer must notify Seller at least 30 days prior to Closing of any defects in marketable title under Iowa law and the Iowa State Bar Association Land Title Standards. Seller may elect to attempt to cure any or all said defects, and if Seller is unwilling or unable to cure any such defects prior to the Closing Date, Buyer may terminate this Agreement upon written notice to Seller, which must be received by Seller prior to the Closing Date, or Buyer may proceed to closing and title subject to any such defects.

8. Deed and Other Documents. On the Closing Date, seller shall convey title to the Real Property by a Deed in fee simple without warranty as provided in Iowa Code §558.19(2), free and clear of all liens against the City and encumbrances in which the City is the grantor, except as provided in this Agreement, subject only to covenants, conditions, easements, encumbrances and restrictions of record, and subject to reservation of easements shown in Exhibit A.

9. Existing Lease, Development Agreement. This Agreement is subject to the leasehold rights of a tenant, namely MULMAC, LLC, presently occupying the Real Property. A memorandum of said lease was recorded June 13, 1997, as Instrument 97-05938, and the lease has been assigned subsequently. This Agreement is also subject to a Development Agreement dated May 27, 1997, a memorandum of which was recorded June 13, 1997, as Instrument No. 97-05942, and any amendments thereto. Upon closing and full payment by Buyer to Seller: (1) the lease shall be merged into the fee title conveyed to Buyer; (2) any improvements or fixtures upon the

land shall become the property of the Buyer and the Seller's rights to the improvements at the termination of the lease shall revert and merge into the fee title conveyed to the Buyer; and (3) the City shall cause to be recorded a termination of the Development Agreement as it relates to the Real Property. Rents shall be prorated to the date of possession.

10. Real Estate Taxes. The leased facilities are subject to real property taxes, which under the lease agreement, are payable by the tenant. Buyer shall assume all responsibility for real property taxes levied and payable. The Seller is an exempt governmental entity and shall not provide the Buyer with a tax proration at closing.

11. Property Status—As Is. Buyer acknowledges that they have made a sufficient and satisfactory inspection of the Real Property and are purchasing the Real Property in its "as is" condition. Buyer as tenant in possession is responsible for solid waste removal, sewage and other utility services and assessments for maintenance of the Real Property attributable to any period of time preceding the Date of Possession.

12. Risk of Loss. Risk of loss of the Real Property shall remain with the Buyer as prescribed by the 1997 Lease (i.e., paragraphs 18.01 – 18.08) until the Closing Date.

13. Forfeiture. If Buyer fails to perform this Agreement, Seller may forfeit this Agreement as provided by Iowa Code ch. 656. Buyer shall have no right of reclamation or compensation for money paid or improvements made, if any, which shall be retained by Seller as compensation for use of the Real Property, as liquidated damages, or both. Upon completion of forfeiture, Seller may treat any person in possession as tenants holding over after the expiration of a lease and may remove them as provided by Iowa Code ch. 648 or any other legal or equitable remedy.

14. Foreclosure. If Buyer fails to pay any part of the purchase price as it becomes due, or fail to pay taxes or special assessments before they become delinquent, or otherwise fail to perform any of the agreements provided for in this Agreement, Seller may, twenty days after written notice to Buyer of Seller's intention to accelerate the payment of the entire balance owing under this Agreement, during which twenty days such default or defaults are not removed, declare the entire balance owing under this Agreement immediately due and payable. Thereafter, at the option of Seller, this Agreement may then be foreclosed in equity and a receiver may be appointed to take charge of the Real Property and collect the rents and profits thereof to be applied as may be directed by a Court of competent jurisdiction. It is agreed that the period of redemption after sale on foreclosure provided by section 628.3 of the Iowa Code may be reduced as otherwise provided by chapter 628 of the Iowa Code.

15. Certification. Buyer and Seller each certify to the other that such party is not acting, directly or indirectly, for or on behalf of any person, group, entity, or nation named by any executive order or the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person," or any other banned or blocked person, entity, nation or transaction

pursuant to any law, order, rule or regulation that is enforced or administered by the Office of Foreign Assets Control and that the party is not engaged in this transaction, directly or indirectly on behalf of, any such person, group, entity or nation. Each party will defend, indemnify and hold harmless the other party, and such other party's officers, directors, managers, employees, agents, attorneys, representatives, affiliates, successors and permitted assigns, from and against any and all claims, damages, losses, risks, liabilities and expenses (including reasonable attorney fees and costs) arising from or related to the indemnifying party's breach of the foregoing certifications, said indemnification to survive the earlier termination of this Agreement or delivery of the deed contemplated hereby.

16. Council Approval. This Agreement is contingent upon the approval of the City Council pursuant to section 364.7, Code of Iowa.

17. Assignment. This Agreement and the rights, duties and obligations hereunder may not be assigned or delegated by Buyer without the prior written consent of the City. Any assignment of rights or delegation of duties or obligations hereunder made without the consent of the City shall be void.

18. Entire Agreement. This instrument constitutes the entire agreement between the parties with respect to the subject matter thereof and supersedes all prior oral or written agreements, statements, representations, and promises. No addition to or change in the terms of this Agreement shall be binding upon the parties unless it is expressed in a writing signed by the parties.

19. Parties. Words and phrases used in this Agreement shall be construed as in the single or plural number and as the masculine, feminine or neuter gender according to the context. "Parties" refers to both Seller and Buyer together. "Party" may refer to either a Seller or a Buyer. If a Seller or a Buyer, as defined in this Agreement, consists of two or more entities or persons, each is jointly and severally liable and responsible for the duties and warranties of that party. Notice given to or knowledge of any condition by any one member of a party that consists of two or more entities or persons is deemed had by the party and all its constituent members.

20. Interpretation. This Agreement shall be governed exclusively by and construed in accordance with the laws of the State of Iowa. The paragraph headings in this Agreement are for convenience only and in no way define or limit the scope or intent of any provisions of this Agreement. This Agreement may be executed in any number of counterparts, each of which shall be regarded as an original and all of which shall constitute but one and the same instrument.

[ SIGNATURES FOLLOW ON SUCCESSIVE PAGES ]



MULMAC, L.L.C.

Dated 3/16, 2022.

By: [Signature]  
Ronald J. McMillen, Member

STATE OF IOWA, COUNTY OF STORY, SS.:

This instrument was acknowledged before me on MARCH 16, 2022, by Ronald J. McMillen as the sole Member of MULMAC, L.L.C.



[Signature]  
NOTARY PUBLIC

Passed and approved on \_\_\_\_\_, 2022, by Resolution No. 22-\_\_\_\_\_ adopted by the City Council of the City of Ames, Iowa.

CITY OF AMES, IOWA

By:

\_\_\_\_\_  
John A. Haila, Mayor

Attest:

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

**Schedule A**  
Reservation of Easements

- (1) Airport Navigational Easement – All of Parcel S – limiting the height and location of all structures upon the Real Property in conformance with Federal Aviation Administration regulations.
- (2) A GAS MAIN EASEMENT COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL S ; THENCE S 00°01'37" W, ON THE WEST LINE OF SAID PARCEL S, A DISTANCE OF 160.00 FEET TO THE POINT OF BEGINNING; THENCE S 89°58'23" E, A DISTANCE OF 336.42 FEET; THENCE S 00°00'00" E, A DISTANCE OF 5.80 FEET; THENCE S 90°00'00" E, A DISTANCE OF 20.00 FEET; THENCE S 00°00'00" E, A DISTANCE OF 4.77 FEET; THENCE N 89°58'23" W, A DISTANCE OF 356.41 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL S; THENCE N 00°01'37" E, ON SAID WEST LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.
- (3) A PUBLIC UTILITY EASEMENT COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL S; THENCE S 00°01'37" W, A DISTANCE OF 189.55 FEET ON THE WEST LINE OF SAID PARCEL S, AND TO THE POINT OF BEGINNING; THENCE S 89°49'52" E, A DISTANCE OF 561.67; THENCE S 45°42'18" E A DISTANCE OF 29.02 FEET; THENCE N 90°00'00" E A DISTANCE OF 232.46 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL S; THENCE S 43°16'31" E A DISTANCE OF 27.47 FEET ON SAID EAST LINE OF PARCEL S; THENCE S 90°00'00" W A DISTANCE OF 230.80 FEET; THENCE S 45°42'18" E A DISTANCE OF 17.81 FEET; THENCE N 89°49'52" W, A DISTANCE OF 441.93 FEET; THENCE N 00°00'00" W A DISTANCE OF 17.81 FEET; THENCE N 89°49'52" W, A DISTANCE OF 173.76 FEET TO A POINT ON SAID WEST LINE OF PARCEL S; THENCE N 00°01'37" E A DISTANCE OF 20.25 FEET TO THE POINT OF BEGINNING.
- (4) A PUBLIC UTILITY EASEMENT DESCRIBED AS THE SOUTH 20 FEET OF SAID PARCEL S AND THE ADJOINING NORTH 15 FEET OF THE SOUTH 35 FEET OF THE WEST 40 FEET OF SAID PARCEL S.
- (5) THE CENTERLINE OF A 20 FEET WIDE WATER MAIN EASEMENT COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL S; THENCE S 00°01'37" W, A DISTANCE OF 179.80 FEET TO THE POINT OF BEGINNING; THENCE S 89°51'23" E, A DISTANCE OF 565.75 FEET; THENCE S 45°42'18" E, A DISTANCE OF 107.09 FEET; THENCE S 00°00'00" W, A DISTANCE OF 417.29 FEET TERMINATING ON THE SOUTH LINE OF SAID PARCEL S.
- (6) THE CENTERLINE OF A 20 FEET WIDE WATER MAIN EASEMENT COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL S; THENCE S 89°58'23" E, ON THE NORTH LINE OF SAID PARCEL S, A DISTANCE OF 405.26 FEET; THENCE N 49°14'07" E, ON SAID NORTH LINE, A DISTANCE OF 21.09 FEET TO THE POINT OF BEGINNING; THENCE S 44°04'19" E, A DISTANCE OF

84.18 FEET; THENCE S 00°00'00" W, A DISTANCE OF 134.10 FEET TO THE TERMINUS.

- (7) THE CENTERLINE OF A 30 FEET WIDE WATER MAIN EASEMENT COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL S; THENCE N 89°58'16" W, ON THE SOUTH LINE OF SAID PARCEL S, A DISTANCE OF 316.17 FEET; THENCE N 00°00'00" E, A DISTANCE OF 170.89 FEET TO THE POINT OF BEGINNING; THENCE N 90°00'00" W, A DISTANCE OF 310.71 FEET TO THE TERMINUS.
- (8) THE CENTERLINE OF A 20 FEET WIDE SANITARY SEWER EASEMENT COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL S; THENCE S 89°58'23" E, ON THE NORTH LINE OF SAID PARCEL S, A DISTANCE OF 405.26 FEET; THENCE N 49°14'07" E, ON SAID NORTH LINE, A DISTANCE OF 40.70 FEET TO THE POINT OF BEGINNING; THENCE S 44°04'19" E, A DISTANCE OF 325.32 FEET; THENCE S 00°00'00" W, A DISTANCE OF 465.91 FEET TERMINATING ON THE SOUTH LINE OF SAID PARCEL S.

## EXHIBIT C - RENT SCHEDULE

(50 Years: July 1, 1997 through June 30, 2047)

LEASE YEAR	RENT PER LEASED ACRE
7/1/97 - 6/30/98	\$100
7/1/98 - 6/30/99	\$100
7/1/99 - 6/30/00	\$100
7/1/00 - 6/30/01	\$100
7/1/01 - 6/30/02	\$100
7/1/02 - 6/30/03	\$2,700
7/1/03 - 6/30/04	\$2,781
7/1/04 - 6/30/05	\$2,864
7/1/05 - 6/30/06	\$2,950
7/1/06 - 6/30/07	\$3,039
7/1/07 - 6/30/08	\$3,130
7/1/08 - 6/30/09	\$3,224
7/1/09 - 6/30/10	\$3,321
7/1/10 - 6/30/11	\$3,420
7/1/11 - 6/30/12	\$3,523
7/1/12 - 6/30/13	\$3,629
7/1/13 - 6/30/14	\$3,737
7/1/14 - 6/30/15	\$3,850
7/1/15 - 6/30/16	\$3,965
7/1/16 - 6/30/17	\$4,084
7/1/17 - 6/30/18	\$4,207
7/1/18 - 6/30/19	\$4,333
7/1/19 - 6/30/20	\$4,463
7/1/20 - 6/30/21	\$4,597
7/1/21 - 6/30/22	\$4,734
7/1/22 - 6/30/23	\$4,877
7/1/23 - 6/30/24	\$5,023

7/1/24 - 6/30/25	\$5,173
7/1/25 - 6/30/26	\$5,329
7/1/26 - 6/30/27	\$5,489
7/1/27 - 6/30/28	\$5,653
7/1/28 - 6/30/29	\$5,823
7/1/29 - 6/30/30	\$5,997
7/1/30 - 6/30/31	\$6,177
7/1/31 - 6/30/32	\$6,363
7/1/32 - 6/30/33	\$6,554
7/1/33 - 6/30/34	\$6,750
7/1/34 - 6/30/35	\$6,953
7/1/35 - 6/30/36	\$7,161
7/1/36 - 6/30/37	\$7,376
7/1/37 - 6/30/38	\$7,597
7/1/38 - 6/30/39	\$7,825
7/1/39 - 6/30/40	\$8,060
7/1/40 - 6/30/41	\$8,302
7/1/41 - 6/30/42	\$8,551
7/1/42 - 6/30/43	\$8,808
7/1/43 - 6/30/44	\$9,072
7/1/44 - 6/30/45	\$9,344
7/1/45 - 6/30/46	\$9,624
7/1/46 - 6/30/47	\$9,913

**COUNCIL ACTION FORM**

**SUBJECT:** VACATE EASEMENTS AT 1915 PHILADELPHIA STREET

**BACKGROUND:**

The property located at 1915 Philadelphia Street is owned by Childserve. The owner proposes to expand the existing Childserve building with the purpose of increasing the available services provided to the community. A public utility easement (PUE) and water main easement exist in the area where the building expansion is proposed. The building expansion cannot occur unless the PUE and water main easement are vacated as shown on Attachment 1 & 1A.

The easements were first established as part of the approval of the Final Plat for Walter Family Campus Subdivision (Attachment 2). The purpose of the easement was to provide access for public utilities to serve the lot on which the current Childserve building is located (Lot 5), the lot to the west (Lot 6), and to provide a location for future water main extension to the parcel to the north. **The Water Main Easement has not been utilized since it was first established by the Final Plat.** On March 16, 2007, Lots 5 & 6 were combined to form Parcel B. The water main easement was not vacated at that time because a large building addition was not contemplated (see Attachment 3).

There is an electric service currently located in the PUE. This electric service will be relocated as part of the building expansion project, and a new easement will be created over the relocated service.

The property located north of the existing Childserve property is not within the Ames corporate limits. If that property was annexed and developed in the future, water main could be extended from other easements located at the east edge of the existing Childserve property and the west end of Philadelphia Street.

**ALTERNATIVES:**

1. Approve Resolution vacating the existing fifteen feet (15') public utility easement (PUE) & Water main easement at 1915 Philadelphia Street, located in parcel B, Lots 5 & 6, Walter Family Campus subdivision, Ames, Iowa.
2. Do not approve the vacation of these easements at 1915 Philadelphia Street.
3. Refer this item back to City staff for additional information.

**CITY MANAGER'S RECOMMENDED ACTION:**

These easements do not facilitate water or other utility service to properties, with the exception of the electric service to the Childserve building. That service will be relocated into a new easement at the time the expansion project takes place. Vacating the easements will allow Childserve to complete a building expansion, which will enable Childserve to provide additional services to the Ames community.

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

ITEM#: 31  
DATE: 03-22-22

**COUNCIL ACTION FORM**

**SUBJECT: CYRIDE BATTERY ELECTRIC BUS FACILITY IMPROVEMENTS PROJECT – REPORT OF BIDS**

**BACKGROUND:**

Plans and specifications for the CyRide Battery Electric Bus Facility Improvements project were approved by Council at the meeting on February 8, 2022. The project was subsequently released on February 9, 2022.

Plans and specifications called for installing a concrete pad for a 480-volt transformer, new facility switchgear with an associated platform, a charger platform, and installation of the purchased charging equipment. Alternate #1 called for extending the charger platform to accommodate two additional future chargers. Funding for the project is available from a combination of federal and local funds totaling \$298,161.

On March 9, 2022, bids for this project were received as follows:

<b>Bidder</b>	<b>Base Bid</b>	<b>Alternate #1</b>
Jaspering Electric Inc.	\$ 282,800	\$ 10,400
Van Maanen Electric Inc.	\$ 299,000	\$ 10,000

**The City’s Purchasing Policies and Procedures requires the reporting of bids at the next possible City Council meeting. However, since the Transit Board has not yet met to consider approval of a contract award, this action form is only for the report of bids.** The decision to approve the project or reject all bids will be brought back to Council after the next planned Transit Board meeting.

**ALTERNATIVES:**

1. Accept the report of bids for the CyRide Battery Electric Bus Facility Improvements Project and delay award to allow for Transit Board approval.
2. Direct staff to make changes to this project.

**CITY MANAGER’S RECOMMENDED ACTION:**

The City Purchasing Policies and Procedures requires that bid results be reported to Council at its next meeting. Prior to Council’s approval, this project needs approval from the Transit Board.

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

ITEM#: 32  
 DATE: 03-22-22

**COUNCIL ACTION FORM**

**SUBJECT: 2021/22 ARTERIAL STREET PAVEMENT IMPROVEMENTS (NORTH DAKOTA AVENUE AND ONTARIO STREET)**

**BACKGROUND:**

This annual program utilizes current repair and reconstruction techniques to improve concrete streets with asphalt or concrete to restore structural integrity, serviceability, and rideability. By improving these streets prior to excessive problems, the service life will be extended.

On March 15, 2022, bids for the project were received through the Iowa Department of Transportation (DOT) as follows:

<i>Bidder</i>	<i>Bid Amount</i>
<i>Engineer's Estimate</i>	<i>\$1,362,000.00</i>
Con-Struct, Inc.	\$1,430,118.60
Cole Excavating, LLC	\$1,686,996.00
Absolute Concrete Construction, Inc.	\$2,026,679.75

A summary of revenues and projected expenses is shown below.

<b>Funding Source</b>	<b>Revenue</b>	<b>Expenses</b>
GO Bonds	\$ 800,000	
Federal/State Grants	900,000	
UPRR Inspection Agreement		\$ 15,000.00
Engineering and Admin		200,000.00
<b>Construction (this contract)</b>		<b>1,430,118.60</b>
<b>TOTAL</b>	<b>\$1,700,000</b>	<b>\$1,645,118.60</b>



**ALTERNATIVES:**

1. a. Accept the report of bids for the 2021/22 Arterial Street Pavement Improvements (North Dakota Ave and Ontario St) project.
  - b. Approve the final plans and specifications for this project.
  - c. Award the 2021/22 Arterial Street Pavement Improvements project to Construct Inc. of Ames, Iowa, in the amount of \$1,430,118.60, contingent upon receipt of Iowa DOT Concurrence.
2. Do not approve this project.

**CITY MANAGER'S RECOMMENDED ACTION:**

Awarding this project will allow the contractor to start construction of North Dakota Avenue and Ontario Street project by the late start date of June 6, 2022, with project completion by Fall 2022. Delay or rejection of bids will delay this project, and possibly jeopardize the funding. While the low bid is only slightly over the estimate, the projected expenses are well within the budget.

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

**COUNCIL ACTION FORM**

**SUBJECT: 2021/22 COLLECTOR STREET PAVEMENT IMPROVEMENTS  
 (HOOVER AVE)**

**BACKGROUND:**

This annual program utilizes current repair and reconstruction techniques to make pavement improvements to streets that are chosen in accordance with the most current street condition inventory. Improving these streets will reduce maintenance needs for them. **The location for this project is Hoover Ave from 24<sup>th</sup> Street to Top O Hallow Road.**

Staff held a public meeting to obtain input regarding staging, construction timing, and special access needs. Comments were received concerning access needs and drainage and were incorporated into the final project design. All streets in the project limits have existing sidewalk on both side of the street.

On March 16, 2022, bids for the project were received as follows:

Bidder	Bid
<i>Engineer's Estimate</i>	\$2,049,738.08
Manatt's	\$2,185,487.58

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

Funding Source	Revenue	Expenses
2021/22 Collector Street Pavement Improvements	\$ 2,400,000.00	
2021/22 Stormwater Improvement Program	100,000.00	
Engineering and Admin		300,000.00
<b>Construction (this contract)</b>		<b>2,185,487.58</b>
<b>TOTAL</b>	<b>\$ 2,500,000.00</b>	<b>\$2,485,487.58</b>

**ALTERNATIVES:**

1. a. Accept the report of bids for the 2021/22 Collector Street Pavement Improvements (Hoover Ave)
  - b. Approve the final plans and specifications for this project.
  - c. Award the 2021/22 Collector Street Pavement (Hoover Ave) project to Manatt's Inc, of Ames, Iowa, in the amount of \$2,185,487.58
2. Do not proceed with this project.

**CITY MANAGER'S RECOMMENDED ACTION:**

Accepting the report of bids and awarding a contract will allow this project to proceed, improving street conditions and lowering maintenance costs. While the low bid is only slightly over the estimate, the projected expenses are within the budget.

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