

IOWA DEPARTMENT OF TRANSPORTATION

AGENDA ITEMS/COMMISSION ORDERS

Tuesday, June 10, 2008
Marriott Hotel & Conference Center
300 E. 9th Street
Coralville

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*Action Item

On Monday, June 9, 2008, the Commission and staff will tour transportation projects in central and eastern Iowa starting at 9:30 a.m. at the Ames airport and ending around 2 p.m. at the Marriott Hotel and Conference Center, 300 East 9th Street, Coralville. The Commission and staff will hold an informal meeting at the Marriott beginning at 2:30 p.m. Transportation-related matters may be discussed but no action will be taken.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Director's Office Order No. D-2008-75

Submitted by Connie Page Phone No. 515-239-1242 Meeting Date June 10, 2008

Title Approving Minutes of the May 13, 2008, Commission Meeting

DISCUSSION/BACKGROUND:

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the minutes of the May 13, 2008, Commission meeting.

COMMISSION ACTION:

Moved by Cleaveland Seconded by Sawtelle

	Aye	Vote Nay	Pass
Blouin	<u>X</u>	_____	_____
Cleaveland	<u>X</u>	_____	_____
Crawford	<u>X</u>	_____	_____
Durham	<u>X</u>	_____	_____
Reasner	<u>X</u>	_____	_____
Sawtelle	<u>X</u>	_____	_____
Wiley	<u>X</u>	_____	_____

_____ _____ _____
Division Legal State Director
Director

Commission Comments

1. Monday's Commission Tour. Chairwoman Crawford said the Commission had a tour on Monday starting in Ames. We traveled Interstates 35 and 80 viewing projects that are either underway or proposed. We looked at numerous things and talked about rest areas and some proposals local communities had presented to us. These tours give the Commission a chance to see things that have been on paper for quite some time. It was an interesting tour, and she, on behalf of the Commission, expressed appreciation to staff for the planning and execution of the tour. It was well done.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Director Order No. D-2008-76
 Submitted by Nancy J. Richardson Phone No. 515-239-1111 Meeting Date June 10, 2008
 Title Administrative Rule 761 IAC Chapter 122, Keep Iowa Beautiful Program

DISCUSSION/BACKGROUND:

The purpose of the proposed rule change is to update contact information, clarify the project selection process, and modify the valuation of volunteer labor that program applicants can use to match program funding. The existing rule ties the valuation of volunteer labor to a fixed per-hour rate that is based on the minimum wage rate in effect at the time the rules were drafted. The proposed rule eliminates the reference to a fixed per-hour rate. Instead, it references 'the minimum wage rate for the state in effect on the application deadline for each cycle.'

There were no objections or comments received on the proposed rule.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the attached rule.

COMMISSION ACTION:

Moved by Sawtelle Seconded by Wiley

	Aye	Vote Nay	Pass
Blouin	<u>X</u>	<u> </u>	<u> </u>
Cleaveland	<u>X</u>	<u> </u>	<u> </u>
Crawford	<u>X</u>	<u> </u>	<u> </u>
Durham	<u>X</u>	<u> </u>	<u> </u>
Reasner	<u>X</u>	<u> </u>	<u> </u>
Sawtelle	<u>X</u>	<u> </u>	<u> </u>
Wiley	<u>X</u>	<u> </u>	<u> </u>

Division
Director

Legal

State Director

ITEM 1. Amend rule 761—122.2(314) as follows:

761—122.2(314) Information. Information and application forms regarding the keep Iowa beautiful program may be obtained from the following sources:

1. Office of Systems Planning, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010.
2. Keep Iowa Beautiful, ~~521 East Locust Street~~ 300 E. Locust Street, Suite 100, Des Moines, Iowa ~~50309-1996~~ 50309; telephone (515)323-6507. Keep Iowa Beautiful is a nonprofit, charitable organization.
3. The following Web sites: www.keepiowabeautiful.com or www.dot.state.ia.us
www.iowadot.gov/forms.

ITEM 2. Amend paragraph 122.5(4)"a" as follows:

a. A project application shall be submitted to the ~~director of transportation~~ office of systems planning on the application form prescribed by the department. Funding for projects is approved each year. The ~~first application deadline is March 31, 2003. Thereafter, the~~ application deadline is December 31 of each year or on the first workday following that date if December 31 falls on a weekend. Applications must be received by the department no later than 4:30 p.m. on the due date.

ITEM 3. Amend subparagraph 122.5(4)"c"(4) as follows:

(4) The value of volunteer labor ~~is \$5.15 per hour~~ shall be based on the minimum wage rate for the state in effect on the application deadline for each cycle.

ITEM 4. Amend subrule 122.5(5) as follows:

122.5(5) ~~Selection~~ Review committee. A keep Iowa beautiful ~~selection~~ review committee

shall ~~approve~~ evaluate all applications and recommend community projects to be funded and the amount to be funded for each project. The committee is composed of individuals appointed by the director of transportation.

ITEM 5. Amend rule 761—122.5(314) by renumbering subrules 122.5(6) to 122.5(9) as 122.5(7) to 122.5(10) and by adopting new subrule 122.5(6) as follows:

122.5(6) Project selection. Considering the recommendations of the review committee, the director of transportation shall select community projects to be funded and the amount to be funded for each project.

ITEM 6. Amend renumbered paragraph 122.5(9)"b" as follows:

b. The project sponsor shall submit a report to the ~~director of transportation~~ office of systems planning upon completion of the project. The report shall describe the project, include an accounting of the use of keep Iowa beautiful funds used on the project, and state the results and effectiveness of the project.

ITEM 7. Amend paragraph 122.7(3)"b" as follows:

b. The Keep Iowa Beautiful organization shall submit a report to the ~~director of transportation~~ office of systems planning each year. The report shall describe the projects funded using keep Iowa beautiful funds, include an accounting of the use of keep Iowa beautiful funds used on each project, and state the results and effectiveness of each project.

DATE

NANCY J. RICHARDSON, DIRECTOR

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division
Office of Program Management Order No. PPM-2008-77
Submitted by E. Jon Ranney Phone No. 515-239-1500 Meeting Date June 10, 2008
Title 2009-2013 Transportation Improvement Program

DISCUSSION/BACKGROUND:

The draft Iowa Transportation Improvement Program for Fiscal Years 2009-2013 will be presented for final review and approval.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve and authorize distribution of the Fiscal Years 2009-2013 Iowa Transportation Improvement Program. It is also recommended the Commission approve the use of condemnation, if necessary, to acquire property for the projects listed in the highway section.

COMMISSION ACTION:

Moved by _____ Seconded by _____

	Aye	Vote Nay	Pass
Blouin	_____	_____	_____
Cleveland	_____	_____	_____
Crawford	_____	_____	_____
Durham	_____	_____	_____
Reasner	_____	_____	_____
Sawtelle	_____	_____	_____
Wiley	_____	_____	_____

Division Director Legal State Director

PPM-2008-77

Jon Ranney, Office of Program Management, said the draft Iowa Transportation Improvement Program for 2009 through 2013 is being presented for final review and approval, and he reviewed the recommendation of staff.

Commissioner Cleaveland asked if any comments were received since the last Commission meeting. Mr. Ranney said six comments were received in support of projects in the program for U.S. 20 in western Iowa.

Commissioner Cleaveland moved, Commission Blouin seconded the Commission approve and authorize distribution of the fiscal years 2009-2013 Iowa Transportation Improvement Program and approve the use of condemnation, if necessary, to acquire property for the projects listed in the highway section. All voted aye.

Chairwoman Crawford said the Commission spends a great deal of time developing the program which is the document we use to guide work in the state. It is available on the Department's website for the citizens to review.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division
Office of Systems Planning Order No. PPM-2008-78
Submitted by Stuart Anderson Phone No. 515-239-1312 Meeting Date June 10, 2008
Title Revitalize Iowa's Sound Economy (RISE) Default and Proposed Settlement – Sioux Center

DISCUSSION/BACKGROUND:

On September 29, 1999, the city of Sioux Center was awarded a RISE grant to construct 3,300 feet of new roadway and improve 22,470 feet of existing roadway. The city received a \$1,853,100 grant for this project.

Commission approval of this project was contingent on the creation of 400 jobs within two years after completion of the roadway and an additional 200 jobs four years after completion of the roadway. Associated capital investment was to be approximately \$24 million.

Two years after the roadway was open to traffic, the city exceeded the 400 job contingency. However, after four years and two extensions only 175 of the 200 additional job contingency was satisfied

On February 25, 2008, the city of Sioux Center was notified the project was in default. The method of calculation and amount of proposed settlement was provided to the city. The city of Sioux Center has agreed to repay the proposed default settlement of \$30,885.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the default and proposed settlement of \$30,885 for Sioux Center.

COMMISSION ACTION:

Moved by _____ Seconded by _____

	Aye	Vote Nay	Pass
Blouin	_____	_____	_____
Cleveland	_____	_____	_____
Crawford	_____	_____	_____
Durham	_____	_____	_____
Reasner	_____	_____	_____
Sawtelle	_____	_____	_____
Wiley	_____	_____	_____

Division
Director

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State Director

PPM-2008-78

Stuart Anderson, Office of Systems Planning, said for RISE immediate opportunity projects there are job creation commitments associated with receiving RISE funds. The Department monitors those contingencies to assure they are met within the specified time period. Extensions on that time period are granted in some instances but, ultimately, if the contingencies are not met, the Department will seek partial or full revocation of the grant.

Mr. Anderson said today he is presenting a proposed settlement for the city of Sioux Center for a RISE project awarded in September 1999. At that time the city received a RISE grant of \$1,853,100 for street construction and road improvements contingent on the creation of 400 new jobs within two years of project completion and an additional 200 jobs within four years of project completion. Those were new jobs to be created at Pella Corporation facility in Sioux Center. The two-year contingency of 400 new jobs was met but after four years and two additional one-year extensions the job creation for the second contingency fell 25 jobs short.

Mr. Anderson said based on Commission policy, the settlement amount is \$30,885, and he reviewed the recommendation of staff.

Commissioner Wiley moved, Commissioner Cleaveland seconded the Commission approve the default and proposed settlement of \$30,885 for Sioux Center. All voted aye.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division
Office of Systems Planning Order No. PPM-2008-79
Submitted by Stuart Anderson Phone No. 515-239-1312 Meeting Date June 10, 2008
Title Revitalize Iowa's Sound Economy (RISE) Application – St. Ansgar (Delegation)

DISCUSSION/BACKGROUND:

The city of St. Ansgar submitted a RISE Immediate Opportunity application requesting a grant to extend North Park Drive south approximately 560 feet.

The improvements are necessary to provide access to the site of the proposed RENEW Energy Systems facility. This company conforms to the legislative requirements of the RISE program.

The roadway will support:

- The creation of 16 new jobs at this facility.
- \$3,114,045 in associated capital investment.

The RISE cost per job assisted will be \$4,000, and there will be total capital investment of \$48.66 for each RISE dollar requested.

PROPOSAL/ACTION RECOMMENDATION:

Based on the capital investment and job creation commitments, it is recommended the Commission award a RISE grant of \$64,000, or up to 80 percent of the total RISE eligible project cost, whichever is less from the city share of the RISE fund.

COMMISSION ACTION:

Moved by _____ Seconded by _____

	Vote		
	Aye	Nay	Pass
Blouin	_____	_____	_____
Cleaveland	_____	_____	_____
Crawford	_____	_____	_____
Durham	_____	_____	_____
Reasner	_____	_____	_____
Sawtelle	_____	_____	_____
Wiley	_____	_____	_____

Division
Director

Legal

State Director

PPM-2008-79

Stuart Anderson, Office of Systems Planning, said we have an immediate opportunity application from the city of St. Ansgar. He noted a delegation from St. Ansgar had planned to attend this meeting but is unable due to flooding in their area.

Mr. Anderson said the city of St. Ansgar has requested RISE funding for the construction of a 560 ft. extension of North Park Drive. This extension is necessary to provide access to a proposed site for a RENEW Energy Systems facility which is proposed to locate on this 2.5 acre site.

Mr. Anderson said RENEW Energy Systems was incorporated in 2005 to manufacture, market, and distribute high density bio-mass briquettes made from wood, agricultural, industrial and recycled products. These briquettes are used in existing or modified industrial, commercial, and residential burners. The company has been in an incubator facility and now would like to move into full production at a 10,000 square foot facility in the St. Ansgar industrial park.

Mr. Anderson said the proposed development will result in the creation of 16 jobs within two years of project completion and an associated capital investment of approximately \$3.1 million. The average starting wage for the 16 positions is expected to be \$18.51 per hour which is 134 percent of the Mitchell county average wage rate. Staff recommends a RISE grant of \$64,000 which is 65 percent of the total cost of the roadway extension of \$99,019. RISE funding will be contingent on the creation of 16 new jobs within two years of project completion, resulting in a RISE cost per job assisted ratio of \$4,000 and a capital investment per RISE dollar of \$48.66. He reviewed the recommendation of staff.

Commissioner Sawtelle moved, Commissioner Wiley seconded the Commission, based on the capital investment and job creation commitments, award a RISE grant of \$64,000 or up to 80 percent of the total RISE eligible project cost, whichever is less, from the city share of the RISE fund. All voted aye.