

IOWA DEPARTMENT OF TRANSPORTATION

AGENDA ITEMS/COMMISSION ORDERS

Tuesday, November 12, 2013
 Materials Conference Room
 Ames DOT Complex

ITEM NUMBER	TITLE	SUBMITTED BY	PAGE
D-2014-23 1:30 p.m.	*Approve Minutes of the October 8, 2013, Commission Meeting in Mason City Commission Comments Staff Comments	Connie Page	1
H-2014-24 1:35 p.m.	*Administrative Rules – 761 IAC 119 Tourist-Oriented Directional Sign Program	John Adam	2
H-2014-25	*Administrative Rules – 761 IAC 120 Private Directional Sign Program	John Adam	8
H-2014-26	*Transfer of Jurisdiction – Iowa 2 in Fort Madison	John Adam	11
H-2014-27	*Transfer of Jurisdiction – Decatur-Onawa Missouri River Bridge in Monona County	John Adam	13
PPM-2014-28 1:45 p.m.	*Revitalize Iowa's Sound Economy (RISE) Application – Clinton (Delegation)	Craig Markley	15
PPM-2014-29	*Revitalize Iowa's Sound Economy (RISE) Application – Greene County (Delegation)	Craig Markley	18
PPM-2014-30	*Revitalize Iowa's Sound Economy (RISE) Application – Altoona (Delegation)	Craig Markley	21
PPM-2014-31 1:55 p.m.	*Revitalize Iowa's Sound Economy (RISE) Proposed Settlement – City of Davenport Adjourn	Craig Markley	24

*Action Item

On Tuesday, November 12, 2013, the Commission and staff will meet informally at 10 a.m. in the Materials conference room at the DOT complex in Ames. Transportation-related matters will be discussed but no action will be taken.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Director's Office Order No. D-2014-23
Submitted by Connie Page Phone No. 515-239-1242 Meeting Date November 12, 2013
Title Approve Minutes of the October 8, 2013, Commission Meeting in Mason City

DISCUSSION/BACKGROUND:

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the minutes of the October 8, 2013, Commission meeting in Mason City.

COMMISSION ACTION:

Moved by Cleaveland Seconded by Miles

	Aye	Vote Nay	Pass
Cleaveland	<u>X</u>	_____	_____
Miles	<u>X</u>	_____	_____
Reasner	<u>X</u>	_____	_____
Rielly	<u>X</u>	_____	_____
Rose	<u>X</u>	_____	_____
Wiley	<u>X</u>	_____	_____
Yanney	<u>X</u>	_____	_____

Division
Director

Legal

State Director

Commission Comments

1. October's Commission Meeting

Commission Chair Yanney said last month the Commission met in Mason City and also had a good tour of what is going on in that area.

2. Commission Workshop

Commission Chair Yanney said this morning the Commission had a workshop and discussed all the agenda items so many of our questions were answered at that time.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Highway Order No. H-2014-24
Submitted by John Adam Phone No. 515-239-1124 Meeting Date Nov. 12, 2013
Title Administrative Rules - 761 IAC 119 Tourist-Oriented Directional Sign Program [TODS]

DISCUSSION/BACKGROUND:

As part of a recent effort by the Executive Branch to reform burdensome rules, prevent overregulation, encourage efficiency and facilitate economic growth and as part of the five-year review of administrative rules required by Iowa Code 17A.7(2), rule 761 IAC 119, "TODS Signing," is being amended in four primary ways:

- Relax restrictions by increasing the limit on the population of qualifying towns from 2,500 to 5,000. Federal regulations restrict this signing program to the rural areas, and prohibit it in the "urban areas." In Iowa, the urban areas exist in towns with a population of at least 5,000. Consequently, the existing rule's standard of 2,500 is deemed unnecessarily restrictive.
- Relax restrictions by extending the maximum distance allowed between the business and the intersection where the signs will be placed from 5 miles to 10 miles in all four categories (motorist service, tourist attraction, agricultural activity, commercial activity). Currently, the limit is set at 5 miles for two of these categories. Federal regulations recommend 5 miles as a limit, but other states are using 10 miles, and the local FHWA office has approved of using the 10 mile limit for Iowa. Being consistent with the limit across the subcategories will also reduce public frustrations if a business is denied for being more than 5 miles away and another business, albeit from a different category, was approved at a similar distance.
- Relax restrictions so a business can have a TODS sign and another type of official sign (private directional) on private property in the same mile. This is currently prohibited. This is not a federal requirement and this restriction is not needed.
- Relax restrictions for the motorist service category (gas, food, lodging, vehicle service or repair) that requires services to maintain hours of operation of at least six days per week and eight hours per day. The revision makes provision for vehicle service and repair facilities so only five days per week is required. This is not a federal requirement and the motorist does not necessarily expect to have repair services available on the weekends.

The Tourist Signing Committee (a multi-agency group set up by Iowa Code 321.252 to aid in the development of these rules and review applications) and the Federal Highway Administration have approved of these changes.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the attached rules.

COMMISSION ACTION:

Moved by _____ Seconded by _____

	Aye	Vote Nay	Pass
Cleaveland	_____	_____	_____
Miles	_____	_____	_____
Reasner	_____	_____	_____
Rielly	_____	_____	_____
Rose	_____	_____	_____
Wiley	_____	_____	_____
Yanney	_____	_____	_____

Division Director Legal State Director

H-2014-24

John Adam, Highway Division, said staff has recommended some revisions for Administrative Rule 761 IAC 119 Tourist-Oriented Directional Sign (TODS) program. The four main changes are increasing the population of qualifying towns from 2,500 to 5,000, extending maximum distance allowed between the business and the intersection where signs will be placed from five to ten miles in several of the service categories, relaxing restrictions so business can have a TODS sign and another type of official sign on private property within the same mile, and relaxing the hours of service restrictions for the motorist service category (gas, food, lodging, etc.) from eight hours per day, six days a week to eight hours per day, five days a week.

Mr. Adam requested Commission approval of the revised rules.

Commissioner Reasner moved, Commissioner Rose seconded the Commission approved the attached rules. All voted aye.

ITEM 1. Amend subrule 119.2(2) as follows:

119.2(2) Spacing and location.

a. No change.

b. Tourist-oriented directional signing shall be installed in advance of the intersection where the motorist leaves the primary highway system to travel to the activity or site. However, tourist-oriented directional signs may be placed ~~within the maximum travel distance~~ on a higher classified highway to direct motorists onto a lower classified highway, or on a greater traveled highway to direct motorists onto a lesser traveled highway.

c. and d. No change.

e. Tourist-oriented directional signing shall not be placed within the urban area as established by the U.S. Census Bureau of an incorporated municipality with a population of 5000 or more.

ITEM 2. Amend rule 761—119.3(321) as follows:

761—119.3(321) General eligibility requirements for an activity or site. This rule describes the general requirements which an individual activity or site must meet to qualify for tourist-oriented directional signing.

~~**119.3(1) Significant interest to the traveling public.** An activity or site must be of significant interest to the traveling public. This means that a major portion of the activity's or site's products or services is tourist or motorist-oriented.~~

~~**119.3(2)**~~ **119.3(1) Hours.** The activity or site shall be open to the general public during regular and reasonable hours and not by appointment, reservation or membership only.

a. and b. No change.

~~119.3(3)~~ **119.3(2)** *Building or area.* The activity shall be conducted in an appropriate area or in a building appropriately designed or well-suited for the purpose.

a. and b. No change.

~~119.3(4)~~ **119.3(3)** *Location of activity or site.* The activity or site shall be located:

a. ~~In an unincorporated area or inside the corporate limits of a city with a population of 2500 or less~~ Within ten miles of the intersection on the primary highway where the tourist-oriented directional sign will be placed.

~~*b.* Outside the corporate limits of a city with a population between 2500 and 5000. However, tourist-oriented directional signing for the activity or site may be located within the corporate limits.~~

~~*e. b.* Outside the urban area, as established by the U.S. Census Bureau, of a city an incorporated municipality with a population of 5000 or more. However, tourist-oriented directional signing for the activity or site may be located within the urban area or corporate limits.~~

~~119.3(5)~~ **119.3(4)** *Signing restrictions.* An activity or site does not qualify for a tourist-oriented directional sign if:

~~*a.* The activity or site is identified by an off right of way directional sign, as authorized in 761 Chapter 120, that is within one mile, is on the same route, and is facing the same direction as the proposed tourist-oriented directional sign.~~

~~*b. a.* The activity or site or an on-premises sign advertising the activity or site is readily recognizable from the primary highway far enough ahead of the entrance to allow the motorist time to safely make the turn into the entrance.~~

~~e- b.~~ An advertising device which serves the activity or site is erected or maintained in violation of Iowa Code chapter 306B; Iowa Code chapter 306C, division II; or other statutes or administrative rules regulating outdoor advertising.

~~119.3(6)~~ **119.3(5)** *Nondiscrimination.* The activity or site shall comply with all applicable laws concerning public accommodations without regard to age, race, ~~religion~~, creed, color, ~~age~~, sex, sexual orientation, gender identity, or national origin, religion or disability.

ITEM 3. Amend rule 761—119.4(321) as follows:

761—119.4(321) Specific eligibility requirements for the type of activity or site. This rule describes the types of activities or sites that may qualify for tourist-oriented directional signing. Within each type, this rule also describes the specific requirements that an individual activity or site must meet to qualify for tourist-oriented directional signing. These requirements are in addition to those found in rule 761—119.3(321).

119.4(1) Motorist service.

a. No change.

b. An activity or a site providing a motorist service must:

(1) Be open a minimum of eight hours a day, six days a week, except for vehicle services or repair facilities, which shall be open a minimum of eight hours a day, five days a week.

(2) No change.

~~(3)~~ Be located within five miles of the primary highway.

119.4(2) Tourist attraction.

a. and b. No change.

c. A tourist attraction must:

(1) and (2) No change.

{3} Be located within five miles of the primary highway or within ten miles if open a minimum of eight hours a day, seven days a week.

119.4(3) Agricultural business activity.

a. No change.

b. "Significant interest" means the agricultural business activity does one of the following:

(1) No change.

(2) Offers products which are of interest to the ~~general~~ traveling public and can be purchased from the site.

(3) No change.

c. An agricultural business activity must:

(1) and (2) No change.

{3} Be located within ten miles of the primary highway.

119.4(4) Other commercial activity.

a. No change.

b. A nonagricultural commercial activity must:

(1) and (2) No change.

{3} Be located within five miles of the primary highway.

ITEM 4. Amend subrule 119.5(3) as follows:

119.5(3) The tourist signing committee consists of representatives from the ~~department of economic development~~ economic development authority, the department of transportation, the department of agriculture and land stewardship, the department of natural resources, the department of cultural affairs, the Travel Federation of Iowa, and the Outdoor Advertising Association of Iowa. The committee's responsibility is to approve or deny applications.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Highway Order No. H-2014-25
Submitted by John Adam Phone No. 515-239-1124 Meeting Date Nov. 12, 2013
Title Administrative Rules - 761 IAC 120 Private Directional Sign Program

DISCUSSION/BACKGROUND:

As part of a recent effort by the Executive Branch to reform burdensome rules, prevent overregulation, encourage efficiency and facilitate economic growth and as part of the five-year review of administrative rules required by Iowa Code 17A.7(2), rule 761 IAC 120, "Private Directional Signing," is being amended in four primary ways:

- Delete a restriction prohibiting a business from placing a private directional sign within the daylight area of an intersection, exclusive of any public right of way. The daylight area is generally a triangle formed by two sides comprised of the state and local rights of way forming right-angles, and a hypotenuse, encompassing private property near the corner of the intersection. Using a blanket prohibition in this case is overly restrictive and not required by federal regulations.
- Add a restriction, which already exists elsewhere in an Iowa Code section addressing nuisances, which prohibits signs from obstructing the vision of the motorist at an intersection. This will alleviate any concerns caused by lifting the prohibition explained above. This allows a case-by-case determination by the department to better fit the situation.
- Add a clarification that if a logo or trademark is to be used on the sign's message, this will be considered the identification of the business and used only if the business name is not used separately from the logo or trademark. Federal regulations only allow for the "identification" of the business on the sign, thus while a logo or trademark is permitted, it can only be used as a stand-alone identifier. Additional messages are generally prohibited and seen as "advertising" by the Federal Highway Administration. This is an official sign program, not an advertising sign program.
- Provide an easier and less-costly option for businesses applying for small signs measuring 32 square feet or less in size in two ways: (1) applications can be reviewed by the department only instead of waiting up to 30 days for Tourist Signing Committee approval (usually a 60-day process in total); (2) eliminate the \$100 application fee for these small signs.

The multi-agency Tourist Signing Committee referred to in subrule 120.8, and the Federal Highway Administration have approved of these changes.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the attached rules.

COMMISSION ACTION:

Moved by _____ Seconded by _____

	Aye	Vote Nay	Pass
Cleveland	_____	_____	_____
Miles	_____	_____	_____
Reasner	_____	_____	_____
Rielly	_____	_____	_____
Rose	_____	_____	_____
Wiley	_____	_____	_____
Yanney	_____	_____	_____

Division Director Legal State Director

H-2013-25

John Adam, Highway Division, said Administrative Rule 761 IAC 120 Private Directional Sign program is recommended to be changed as the result of a review to reform rules to prevent overregulation, encourage efficiency, etc. Four primary changes are:

- Delete a restriction prohibiting business from placing private directional signs within the daylight area of an intersection.
- Add a restriction that exists elsewhere in the Iowa Code that addresses nuisances; it prohibits signs from obstructing the vision of motorists at an intersection.
- Add a clarification that a logo or trademark used on a sign's message will be considered the identification of the business and used only for business. It is not used separately from the logo or trademark.
- Provide an easier option for businesses applying for small signs measuring 32 square feet or less by having applications reviewed and approved by the Department instead of waiting for the Tourist Signing Committee approval and eliminating the \$100 application fee for the small signs that are approved by Department staff.

Mr. Adam requested Commission approval of the rule.

Commission Miles moved, Commissioner Wiley seconded the Commission approve the attached rules. All voted aye.

ITEM 1. Rescind the definition of “Daylight area” in rule **761—120.1(306C)**.

ITEM 2. Amend rule 761—120.2(306C) as follows:

761—120.2(306C,657) General requirements.

120.2(1) No change.

120.2(2) A private directional sign shall not:

a. to *e.* No change.

f. Obstruct or impair the view of any portion of the public roadway at an intersection or a railroad crossing and cause an unsafe condition as determined by the department.

ITEM 3. Amend subrule 120.5(3) as follows:

120.5(3) The following spacing requirements apply to private directional signs:

a. to *e.* No change.

~~*f.* A private directional sign shall not be located within the daylight area.~~

~~*g.*~~ *f.* Except as otherwise specified, on-premises signs, permitted billboards, and official signs and notices are not taken into consideration when determining compliance with spacing requirements.

ITEM 4. Amend subrule 120.6(4) as follows:

120.6(4) The sign message shall not contain additional words or phrases descriptive of the activity or site, pictorial or photographic representations of the activity or site or its environs, or advertisements of brand-name goods. However, the department may authorize the display of a nationally or regionally recognized trademark or logo in lieu of a word message to identify the activity or site.

ITEM 5. Amend subrule 120.7(3) as follows:

120.7(3) The activity or site must be open to the general public and not by appointment, reservation or membership only and must comply with all applicable laws concerning public accommodations without regard to age, race, ~~religion~~, creed, color, ~~age~~, sex, sexual orientation, gender identity, ~~or~~ national origin, religion or disability.

ITEM 6. Amend subrule 120.8(3) as follows:

120.8(3) The tourist signing committee will approve or deny applications, except that signs located along non-interstate routes and not exceeding 32 square feet in size may be approved or denied by the department. The composition of the committee is set out in 761—subrule 119.5(3).

ITEM 7. Amend rule 761—120.9(306C) as follows:

761—120.9(306C) Fees. Fees are applicable to all signs measuring over 32 square feet in size. The initial fee, payable at the time of application, is \$100 per permit. The annual renewal fee, payable on or before June 30 of each year, is \$15 per permit.

ITEM 8. Amend **761—Chapter 120**, implementation sentence, as follows:

These rules are intended to implement Iowa Code sections 306C.10 to 306C.19 and 657.2.

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Highway Division Order No. H-2014-26
 Submitted by John Adam Phone No. 515-239-1124 Meeting Date November 12, 2013
 Title Transfer of Jurisdiction - Iowa 2 in Fort Madison

DISCUSSION/BACKGROUND:

District 5 has negotiated the transfer of jurisdiction of a portion of existing Iowa 2 to the city of Fort Madison. The transfer segment extends from the west corporation limits of Fort Madison (milepost 257.75) easterly to just north of the BNSF Railway Company's property (milepost 262.95) near the east corporation limits of Fort Madison, a length of approximately 5.58 miles.

The city and state have examined the physical condition of the roadway segment proposed for transfer and have agreed that the segment will be transferred in its present condition. The state will transfer funds to the city in the amount of \$13,750,000 which represents the estimated cost to perform improvements on the proposed roadway segment including milling and resurfacing, patching, reconstruction and Americans with Disabilities Act compliant curb ramps. The proposed transfer includes language indicating the Iowa DOT's willingness to agree to the city's request to annex the U.S. 61 bypass right of way. The proposed transfer to the city will take place upon the state's payment to the city and written notification by the state to the city of the time and date of official transfer.

The state will prepare and forward a quitclaim deed to the city for the proposed Iowa 2 transfer segment.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the transfer of jurisdiction for a portion of Iowa 2 as described above to Fort Madison.

COMMISSION ACTION:

Moved by _____ Seconded by _____

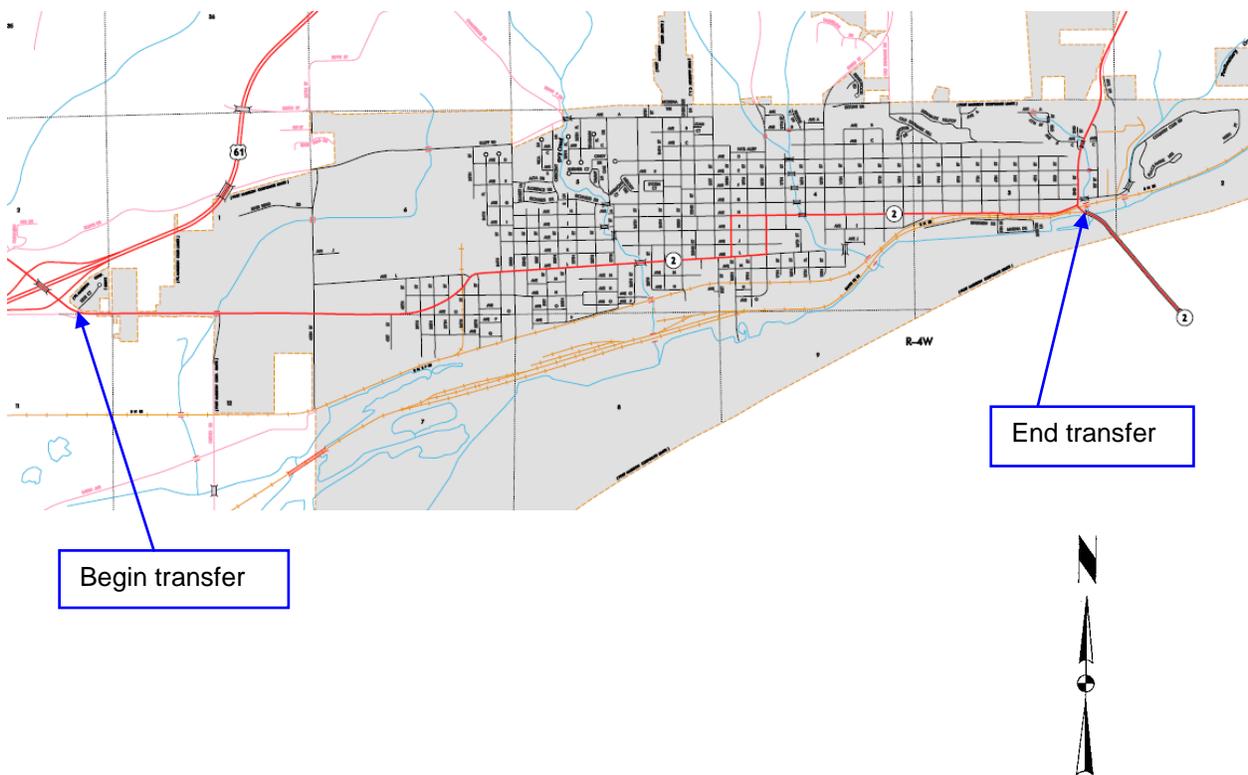
	Aye	Vote Nay	Pass
Cleaveland	_____	_____	_____
Miles	_____	_____	_____
Reasner	_____	_____	_____
Rielly	_____	_____	_____
Rose	_____	_____	_____
Wiley	_____	_____	_____
Yanney	_____	_____	_____

 Division Director Legal State Director

**Transfer of Jurisdiction
Location**

Lee County

Description: Existing Iowa 2 from the west corporation limits of Fort Madison (milepost 257.75) easterly to just north of the BNSF Railway Company's property (milepost 262.95) near the east corporation limits of Fort Madison, a length of approximately 5.58 miles.



H-2014-26

John Adam, Highway Division, reviewed a transfer of jurisdiction for a section of Iowa 2 in Fort Madison. District 5 has negotiated the transfer of jurisdiction of a portion of existing Iowa 2 to the city of Fort Madison. The segment extends from the west corporate limits of Fort Madison, roughly the west terminus of the bypass, easterly to just north of the Burlington Northern Santa Fe Railway, a length of approximately 5.58 miles.

The route will be transferred in its present condition; however, there would be payment of \$13,570,000 which represents the amount it would take to pay for the cost of improvements to bring the roadway into a state of good repair. He requested Commission consideration and approval of this transfer of jurisdiction.

Commissioner Cleaveland moved, Commissioner Rose seconded the Commission approve the transfer of jurisdiction for a portion of Iowa 2 as described to Fort Madison. Commissioner Reasner abstained; remaining Commissioners voted aye.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Highway Division Order No. H-2014-27
Submitted by John Adam Phone No. 515-239-1124 Meeting Date November 12, 2013
Title Transfer of Jurisdiction - Decatur-Onawa Missouri River Bridge in Monona County

DISCUSSION/BACKGROUND:

The Highway Division has negotiated the transfer of jurisdiction of the Decatur-Onawa bridge over the Missouri River that connects Nebraska Highway 51 and Iowa 175 from a point near the city of Decatur, Burt County, Nebraska continuing across the Missouri River to Iowa 175 in Monona County, Iowa. The Burt County Bridge Commission is a political subdivision created and established under Nebraska law that currently owns, operates and maintains the Decatur-Onawa toll bridge.

The transfer includes the entire structure spanning the Missouri River, including but not limited to, the bridge structure, highway approaches leading up to the bridge in Nebraska and Iowa, toll facility including booth and maintenance structures, and rights in real estate upon which the aforementioned are situated. The bond indentures under which the bridge was constructed have been fully paid. The BCBC will adopt any resolution needed to transfer the bridge to Nebraska and Iowa for toll-free operation.

Iowa, Nebraska and the BCBC have examined the physical condition of the bridge proposed for transfer and have agreed that the bridge will be transferred in its present condition.

The proposed transfer to Iowa and Nebraska will take place upon "final closing," a mutually agreed-upon date by or upon which the transfers and conveyances, as well as satisfaction by the BCBC of all covenants and conditions imposed upon under the transfer agreement, are completed.

The BCBC will prepare and forward appropriate instruments to convey as needed any and all interests in real estate in Nebraska to Nebraska, and any and all interests in real estate in Iowa to Iowa. Iowa and Nebraska intend to amend their agreement pertaining to border river bridges to include the bridge, with Nebraska contemplated to be the lead state for the bridge. The specific rights and responsibilities of the states with regard to maintenance, snow removal and the like with regard to the bridge will be addressed later in the amended border bridge agreement between the states.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve the transfer of jurisdiction of the Decatur-Onawa bridge to Iowa and Nebraska.

COMMISSION ACTION:

Moved by _____ Seconded by _____

	Aye	Vote Nay	Pass
Cleaveland	_____	_____	_____
Miles	_____	_____	_____
Reasner	_____	_____	_____
Rielly	_____	_____	_____
Rose	_____	_____	_____
Wiley	_____	_____	_____
Yanney	_____	_____	_____

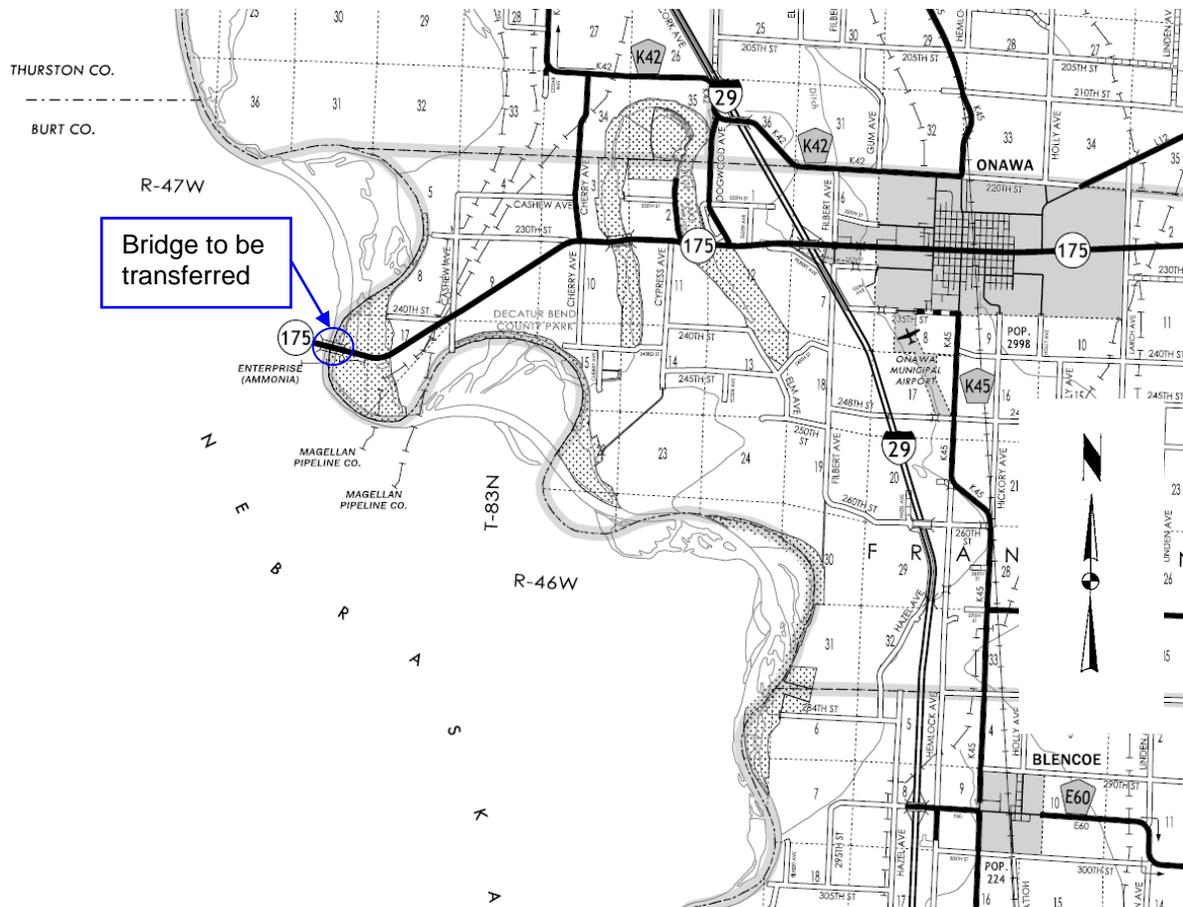
Division Director Legal State Director

Transfer of Jurisdiction Location

Monona County

Description: The Decatur-Onawa bridge over the Missouri River that connects Nebraska Highway 51 and Iowa 175 from a point near the city of Decatur, Burt County, Nebraska continuing across the Missouri River to Iowa 175 in Monona County, Iowa.

Iowa and Nebraska intend to amend their agreement pertaining to border river bridges to include the bridge, with Nebraska contemplated to be the lead state for the bridge. The specific rights and responsibilities with regard to maintenance, snow removal and the like with regard to the bridge will be addressed later in the amended border bridge agreement between the states.



John Adam, Highway Division, said the Highway Division has negotiated the transfer of jurisdiction of the Decatur-Onawa bridge currently owned by the Burt County Bridge Commission. The bridge is over the Missouri River and connects Nebraska 51 from a point near Decatur, Nebraska, across the Missouri River to Iowa 175 in Monona county.

Iowa, Nebraska, and Burt County Bridge Commission have examined the physical condition of the bridge and propose that a transfer be made of the bridge in its present condition. The proposed transfer to Iowa and Nebraska will take place on final closing which is proposed to be December 4 should the Commission approve this transfer.

Mr. Adam said it is recommended the Commission approve the transfer of jurisdiction of this bridge to Iowa and Nebraska.

Commissioner Cleaveland moved, Commissioner Rose seconded the Commission approve the transfer of jurisdiction of the Decatur-Onawa bridge to Iowa and Nebraska. All voted aye.

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Planning, Programming and Modal Division

Division/Bureau/Office Office of Systems Planning Order No. PPM-2014-28

Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date November 12, 2013

Title Revitalize Iowa's Sound Economy (RISE) Application – Clinton (Delegation)

DISCUSSION/BACKGROUND:

The city of Clinton submitted a RISE Local Development application in the September 2013 round requesting a grant to assist in construction of a right-turn lane on Iowa 136, approximately 1,100 feet of 19th Avenue North and approximately 880 feet of 10th Street Northwest located on the northwest side of town in the Lyons Business and Technology Park.

This project is necessary to provide access to seven lots totaling more than 25 acres for professional office purposes. This project is anticipated to be completed by November 2014.

The evaluation and rating for the project will be discussed.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission, based on the capital investment commitment and potential for future job creation, award a RISE grant of \$449,433 or up to 50 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 _____

	Aye	Vote Nay	Pass
Cleaveland	_____	_____	_____
Miles	_____	_____	_____
Reasner	_____	_____	_____
Rielly	_____	_____	_____
Rose	_____	_____	_____
Wiley	_____	_____	_____
Yanney	_____	_____	_____

Division Director Legal State Director

PPM-2014-28

Craig Markley, Office of System Planning, said the city of Clinton submitted a Local Development RISE funding request to construct a right-turn lane on Iowa 136, approximately 1,100 feet of 19th Avenue North, and approximately 880 feet of 10th Street Northwest located on the northwest side of town in the Lyons Business and Technology Park. This project is necessary to provide access to seven lots totaling more than 25 acres for professional office purposes. Under RISE Local Development criteria this project received a rating of 40 points. Total estimated project cost is \$898,866. The city of Clinton is requesting a RISE grant of \$449,433 and will provide a 50 percent local match. He introduced Mayor Mark Vulich.

Mayor Vulich introduced Tom Determann, President, Clinton Business Park Development Corporation, and Rich Phelan, Chairman, Clinton Regional Development Corporation. Mayor Vulich said some six months ago he was before the Commission talking about a RISE grant for their rail park. That project is moving along, and the road the Commission approved funding for is almost complete. Rail One Industry has a building in place and is currently working on the interior construction. The equipment to build the concrete railroad ties has started to arrive. They also sold a lot to Nevada Rail Materials, a railroad tie recycler. As a result of the road and the Commission's investment, they have increased the 62 jobs to about 100 jobs so that RISE grant was successful for them. Mayor Vulich said today they want to talk about their Lyons Business and Technology Park which is generating tremendous job growth.

Mr. Determann said the Lyon Business and Technology Park is owned and operated by the Clinton Business Park Development Corporation, a private, non-profit entity working with the city and is administered by the chamber. Phase one of the park was started in 2002. Using a map he pointed out Ashford's call center and the new \$5 million Data Dimension facility that will have their open house on Friday. Data Dimension moved from another place in Clinton, retained 125 jobs and will create 130 new jobs. That completes phase one. The new road is needed to further develop the park; it will open another seven lots of three to six acres totaling 35 acres.

Rich Phelan said the Clinton Regional Development Corporation is the marketing arm of economic development in Clinton and surrounding communities. Data Dimensions would not have located there if they had not had shovel-ready property. The purpose of this grant is to make seven more shovel-ready lots. He expressed appreciation to the Department for its commitment to economic development.

Mayor Vulich expressed appreciation for the Commission's past and current support. He also thanked DOT staff for the assistance they provided in preparing this RISE grant application. Commissioner Rose said Clinton's first RISE grant was in 1997 and they haven't had another until last year when they had two. The city's leadership has really made a difference.

Mr. Markley reviewed staff's recommendation.

Commissioner Rose moved, Commissioner Reasner seconded the Commission, based on the capital investment and potential for future job creation, award a RISE grant of \$449,433 or up to 50 percent of the total RISE-eligible project cost, whichever is less, from the city share of the RISE fund. All voted aye.

RISE LOCAL DEVELOPMENT FUNDING
September 2013
SUMMARY

Applicant: City of Clinton

Multiyear?: No
Multijurisdiction?: No

ROAD PROJECT LOCATION AND DESCRIPTION: To construct a right-turn lane on Iowa 136 and approximately 1,100 feet of 19th Avenue North and approximately 880 feet of 10th Street Northwest located on the northwest side of town in the Lyons Business and Technology Park.

ASSOCIATED ECONOMIC DEVELOPMENT: This project will provide access to seven lots totaling more than 25 acres for professional office purposes.

PROJECT FINANCING:

Roadway Project Cost:	\$898,866	Local Match (Total):	\$449,433
RISE (Total):	\$449,433	Up-Front:	\$449,433
Grant:	\$449,433	NPV of Loan Repayment:	0
Loan:	0	Effective Match Percent:	50
Loan Terms:	Yrs. 0	Up-front Participation Sources:	
	Int.: 0 %	Private:	
		Public:	\$449,433
		Local Match (Total):	\$449,433

PROJECT EVALUATION:

Development Potential (35):	15
Economic Impact and Cost Effect. (20):	3
Local Commit. and Initiative (35):	17
Transportation Need (4):	1
Local Economic Need (6):	4

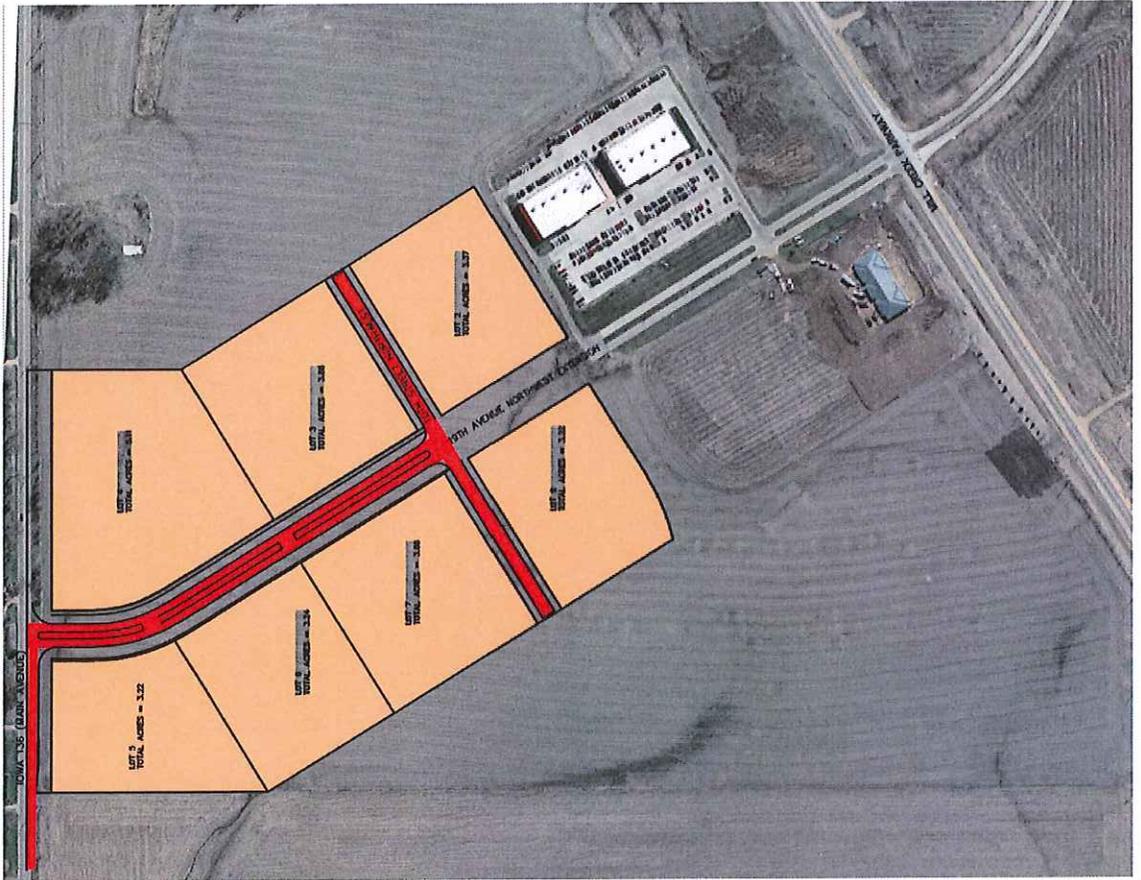
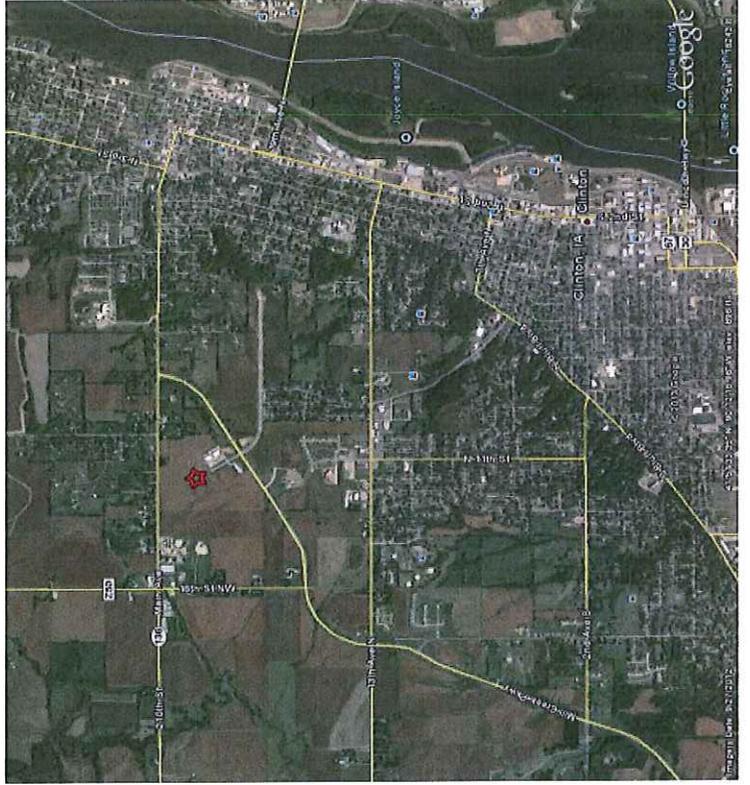
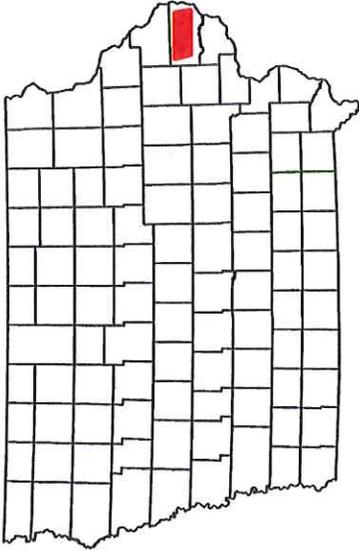
Total Rating: 40

Jobs: 0

STAFF RECOMMENDATION:

Award a grant of \$449,433 or up to 50 percent of the RISE-eligible project cost, whichever is less. Funding will come from the city share of the RISE Fund.

Clinton



**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Planning, Programming and Modal Division
Office of Systems Planning Order No. PPM-2014-29
 Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date November 12, 2013
 Title Revitalize Iowa's Sound Economy (RISE) Application – Greene County (Delegation)

DISCUSSION/BACKGROUND:

Greene County submitted a RISE Immediate Opportunity application requesting a grant to assist in the reconstruction of approximately 2,640 feet of Trinity Avenue located northeast of the city of Paton. This project is anticipated to be completed by August 2014.

These improvements are necessary to provide access to Bauer Built Manufacturing Inc., a manufacturer of agriculture planters, and will support:

- The creation of 50 new full-time jobs.
- \$12 million in associated capital investment.

The RISE cost per job assisted will be \$8,500, and there will be a total capital investment of \$28.24 for each RISE dollar requested.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission, based on the capital investment and job creation commitments, award a RISE grant of \$425,000 or up to 80 percent of the total RISE-eligible project cost, whichever is less, from the county share of the RISE Fund.

COMMISSION ACTION:

Moved by _____ Seconded by _____

	Aye	Vote Nay	Pass
Cleaveland	_____	_____	_____
Miles	_____	_____	_____
Reasner	_____	_____	_____
Rielly	_____	_____	_____
Rose	_____	_____	_____
Wiley	_____	_____	_____
Yanney	_____	_____	_____

Division Director _____ Legal _____ State Director

PPM-2014-29

Craig Markley, Office of Systems Planning, said Greene county submitted an Immediate Opportunity RISE funding request to reconstruct 2,640 feet of Trinity Avenue located northeast of the city of Paton. The proposed improvements will result in the creation of 50 new full-time jobs within three years along with \$12 million in associated capital investment. Average wage of the created positions is \$16.48 per hour which is 107 percent of the average labor shed wage rate. RISE grant recommended is \$425,000. Local participation is 38 percent or \$257,750. Total project cost is \$682,750. RISE cost per job assisted is \$8,500; total capital investment per RISE dollar is \$28.24. He introduced Don Van Gilder, Greene County Engineer's Office.

Mr. Van Gilder introduced John Muir, Chair, Greene County Board of Supervisors, and Chris Whitaker, Region XII Council of Governments. Mr. Van Gilder said the application speaks for itself. They are looking to upgrade a local road, Trinity Avenue, for a connection from the former Bauer Built, now John Deere facility, to the new Bauer Built facility. They anticipate vehicle traffic will increase by at least fourfold if not fivefold per day with about 35 percent truck traffic. What the new Bauer Built facility will have in common with the John Deere plant is that they will be building metric planters for the global market. Bauer Built's new facility will build metric planters for the John Deere facility; about 1,000 planters per year so there will be a lot of truck traffic on that roadway. Electric and water utilities are in place and there is good internet service. This is a really good, exciting project for Greene county.

Mr. Markley reviewed the recommendation of staff.

Commissioner Miles moved, Commissioner Wiley seconded the Commission, based on the capital investment and job creation commitments, award a RISE grant of \$425,000 or up to 80 percent of the total RISE-eligible project cost, whichever is less, from the county share of the RISE fund. All voted aye.

Date Submitted: September 25, 2013

Commission Date: November 12, 2013

RISE Immediate Opportunity Funding Economic Analysis Summary

GENERAL INFORMATION

Applicant: Greene County

Project Location and Description: Reconstruction of approximately 2,640 feet of Trinity Avenue located northeast of the city of Paton.

Associated Economic Development: The project provides access to Bauer Built Manufacturing, Inc., a manufacturer of agriculture planters. The project will result in the creation of 50 new jobs and \$12 million in associated capital investment.

ECONOMIC IMPACT

Total Roadway Project Cost: \$682,750

RISE Funds Requested: \$425,000; **Grant:** \$425,000; **Loan** \$----

Effective Project Cost to RISE Program: \$425,000

Local Participation: \$257,750; **Sources:** Greene County

Non-RISE Total Capital Investment: \$12,000,000

(**Public:** \$0; **Private:** \$12,000,000)

Direct Jobs Created: 50; (**Other, Potential Future Jobs:** 0)

Direct Jobs Retained: 0; **Total Direct Jobs Assisted, Short-Term:** 50

Number of Existing Jobs: 0

Project Average Wage Rate of New Jobs: \$16.48/hr.

100% Average Laborshed Wage Rate: \$15.36/hr.

KEY RATIOS

Local Match Ratio: 38% ($\$257,750/\$682,750$)

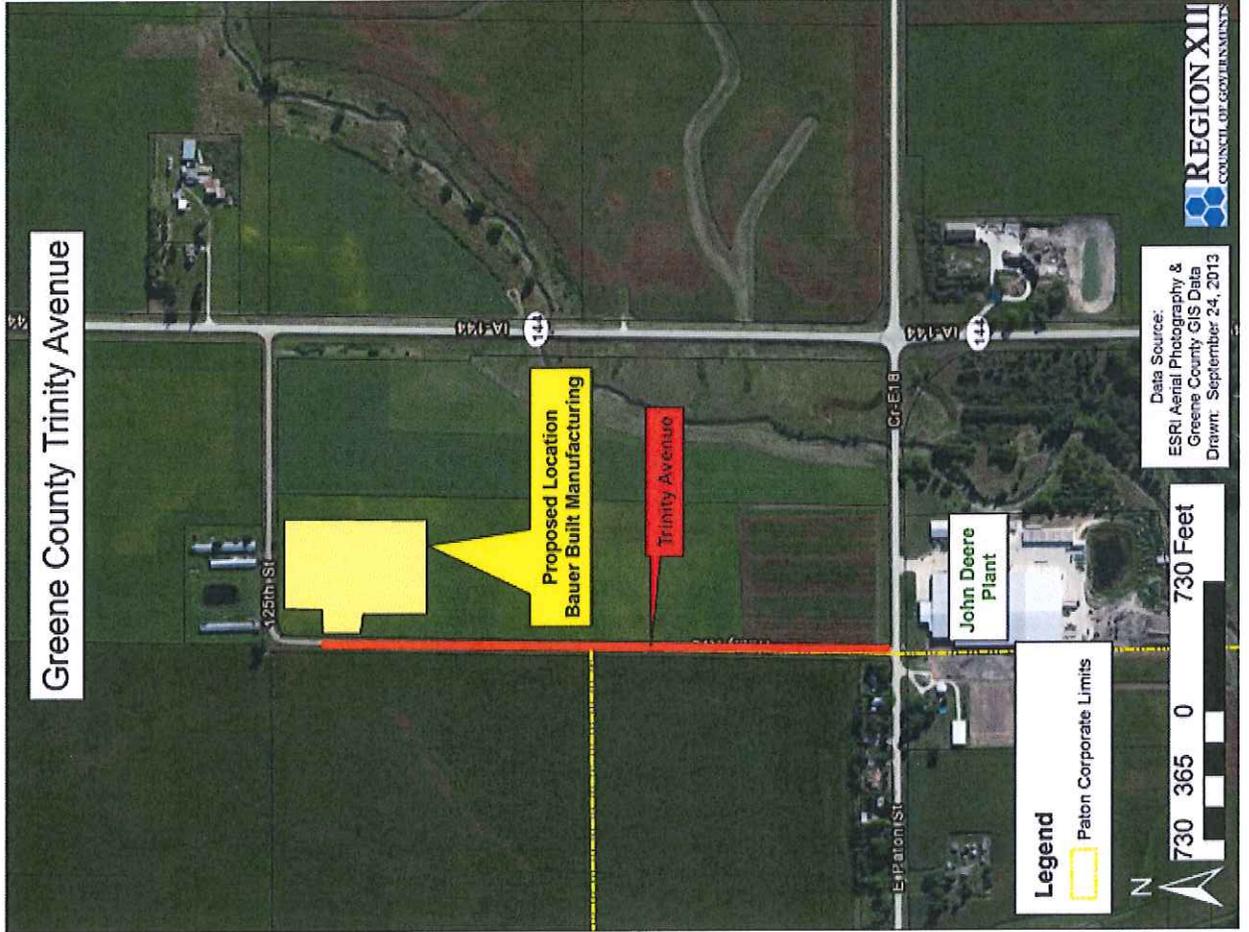
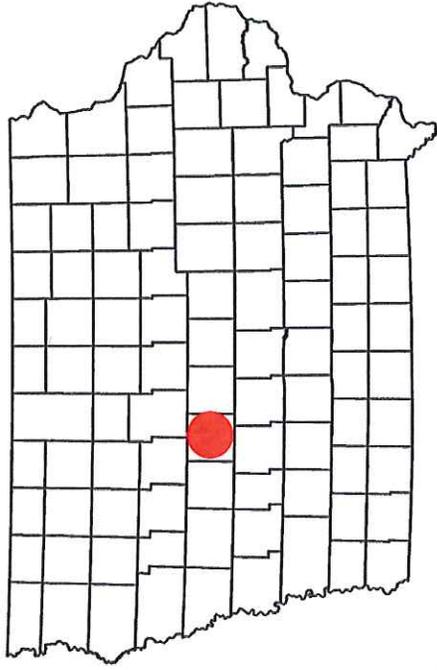
RISE Cost Per Job Assisted (Created): $\$425,000/50 = \$8,500.00$

Total Capital Investment Per RISE Dollar: $\$12,000,000/\$425,000 = \$28.24$

CONCLUSIONS

Narrative: It is recommended the Commission, based on the capital investment and job creation commitments; award a RISE grant of \$425,000 from the RISE Fund or up to 80 percent of the total RISE-eligible project cost, whichever is less. Funding will come from the county share of the RISE Fund.

Greene County



**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Planning, Programming and Modal Division
Office of Systems Planning Order No. PPM-2014-30
 Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date November 12, 2013
 Title Revitalize Iowa's Sound Economy (RISE) Application – Altoona (Delegation)

DISCUSSION/BACKGROUND:

The city of Altoona submitted a RISE Immediate Opportunity application requesting a grant to assist in construction of approximately 436 feet of Adventureland Drive Northeast located on the northeast side of town. This project is anticipated to be completed by July 2014.

These improvements are necessary to provide access to Dayton Freight Lines Inc., a trucking terminal, and will support:

- The creation of 35 new full-time jobs.
- \$4,922,200 in associated capital investment.

The RISE cost per job assisted will be \$6,523.09, and there will be a total capital investment of \$21.56 for each RISE dollar requested.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission, based on the capital investment and job creation commitments, award a RISE grant of \$228,308 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:		Aye	Vote Nay	Pass
Moved by _____	Seconded by _____	_____	_____	_____
_____	_____	_____	_____	_____
Division Director	Legal	State Director	Cleveland	
			Miles	
			Reasner	
			Rielly	
			Rose	
			Wiley	
			Yanney	

PPM-2014-30

Craig Markley, Office of Systems Planning, said the city of Altoona submitted an immediate opportunity RISE funding request to construct 436 feet of Adventureland Drive Northeast located on the northeast side of town. The proposed improvement will result in the creation of 35 new full-time jobs within three years as well as close to \$5 million in associated capital investments. Average wage of the created positions is \$29.40 per hour which is 125 percent of the average labor shed wage rate. RISE grant recommended is \$228,308. Local participation is 20 percent or \$57,076 for a total project cost of \$285,384. RISE cost per job assisted is \$6,523.09. Total capital investment per RISE dollar is \$21.56. He introduced Aaron Putnam, Altoona Public Works Department.

Mr. Putnam expressed appreciation for the Commission's consideration of their application for an extension of an existing road in their industrial park. They have a client who is already excited about the project and looking to purchase some property. He noted the last time the Commission approved a RISE project for Altoona for a business park, Bass Pro came in and bought the whole business park so he is hoping for the same result with this project. He introduced Mark Land, Vice President, Snyder & Associates.

Mr. Markley reviewed staff's recommendation.

Commissioner Miles moved, Commissioner Cleaveland seconded the Commission, based on the capital investment and job creation commitments, award a RISE grant of \$228,308 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.

Date Submitted: October 23, 2013

Commission Date: November 12, 2013

RISE Immediate Opportunity Funding Economic Analysis Summary

GENERAL INFORMATION

Applicant: Altoona

Project Location and Description: Construction of approximately 436 feet of Adventureland Drive Northeast located on the northeast side of town.

Associated Economic Development: The project provides access to Dayton Freight Lines, Inc., a trucking terminal. The project will result in the creation of 35 new jobs and \$4,922,200 in associated capital investment.

ECONOMIC IMPACT

Total Roadway Project Cost: \$285,384

RISE Funds Requested: \$228,308; **Grant:** \$228,308; **Loan** \$----

Effective Project Cost to RISE Program: \$228,308

Local Participation: \$57,076; **Sources:** City of Altoona

Non-RISE Total Capital Investment: \$4,922,200

(**Public:** \$0; **Private:** \$4,922,200)

Direct Jobs Created: 35; (**Other, Potential Future Jobs:** 0)

Direct Jobs Retained: 0; **Total Direct Jobs Assisted, Short-Term:** 35

Number of Existing Jobs: 0

Project Average Wage Rate of New Jobs: \$29.40/hr.

100% Average Laborshed Wage Rate: \$20.27/hr.

KEY RATIOS

Local Match Ratio: 20% ($\$57,076/\$285,384$)

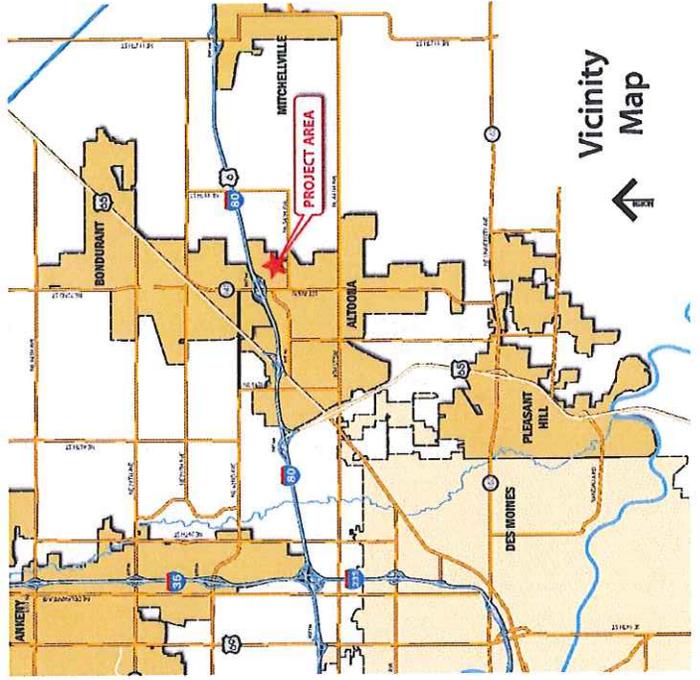
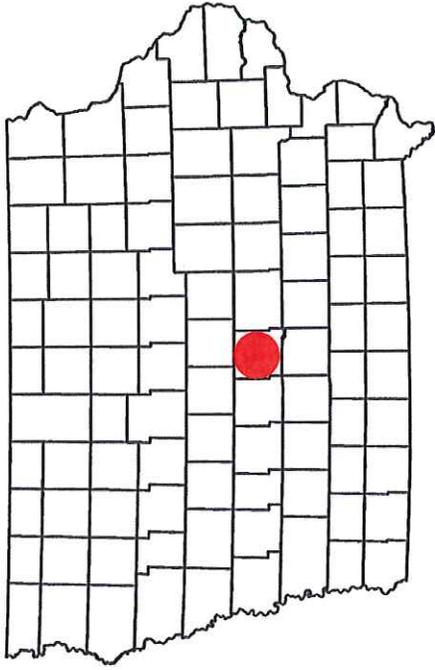
RISE Cost Per Job Assisted (Created): $\$228,308/35 = \$6,523.09$

Total Capital Investment Per RISE Dollar: $\$4,922,200/\$228,308 = \$21.56$

CONCLUSIONS

Narrative: It is recommended the Commission, based on the capital investment and job creation commitments; award a RISE grant of \$228,308 from the RISE Fund or up to 80 percent of the total RISE-eligible project cost, whichever is less. Funding will come from the city share of the RISE Fund.

Altoona



DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division
Office of Systems Planning Order No. PPM-2014-31
Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date November 12, 2013
Title Revitalize Iowa's Sound Economy (RISE) Proposed Settlement – City of Davenport

DISCUSSION/BACKGROUND:

On February 13, 2007, the city of Davenport was awarded a RISE grant of \$250,000 to construct 1,120 feet of new roadway south of Research Parkway.

Commission approval of this project was contingent on the retention of 14 existing jobs and the creation of 36 new jobs within three years after completion of the roadway. Associated capital investment was to be \$9,540,000.

On March 14, 2008, the roadway was opened to traffic. As of March 2011, the city of Davenport had not met the job creation contingency. The department was advised that an average of 27 total jobs were retained and created.

The method of calculation and amount of proposed settlement was provided to the city. The city of Davenport has agreed to repay the proposed settlement of \$38,940.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the project settlement and proposed payment of \$38,940 for the city of Davenport.

COMMISSION ACTION:

Moved by _____ Seconded by _____

	Aye	Vote Nay	Pass
Cleaveland	_____	_____	_____
Miles	_____	_____	_____
Reasner	_____	_____	_____
Rielly	_____	_____	_____
Rose	_____	_____	_____
Wiley	_____	_____	_____
Yanney	_____	_____	_____

Division Director Legal State Director

PPM-2014-31

Craig Markley, Office of Systems Planning, said RISE Immediate Opportunity projects have job creation requirements associated with receiving the funds. The Department monitors these contingencies to assure that they are met within three years of the roadway being open to traffic. If the contingencies are not met, the Department will seek partial or full revocation of the grant.

Mr. Markley said today he is presenting a proposed settlement with the city of Davenport for a RISE award granted in February, 2007. The city received a grant of \$250,000 for road construction contingent on the retention of 14 existing jobs and creation of 36 new jobs by Evolution Tools within three years of project completion. In March 2008 the roadway was opened to traffic; however, the company was only able to retain and create an average of 27 jobs. Based on the settlement policy, the city of Davenport has agreed to a repayment of \$38,940. Staff recommends the Commission approve the proposed settlement for the Davenport RISE project.

Commissioner Rose moved, Commissioner Reasner seconded the Commission approve the project settlement and proposed payment of \$38,940 from the city of Davenport. All voted aye.

Meeting ended at 1:53 p.m.

RISE Project Completion Settlement Proposal for:

RECIPIENT : **Davenport**
 PROJECT # : **RM-1827(646)--9D-82**
 AGREEMENT # : **2007-R-014**

Reimbursable Maximum : \$250,000

To bring this project agreement to a close, in accordance with the procedure adopted by the Iowa Department of Transportation Commission (Commission), the Recipient (as identified above) is required to repay a portion of the RISE grant funds received.

The amount to be repaid is calculated in the following manner, according to the method approved by the Commission, all amounts are rounded to the nearest whole dollar or percentage point.

Step 1 Determine the difference between the RISE grant funds actually reimbursed and 50% of the total eligible costs. The resulting amount is referred to as the "RISE differential"

	Actual	
a. RISE grant funds reimbursed:	250,000.00	
b. FINAL eligible project costs:	330,694.16	
c. 50% of FINAL eligible costs:	165,347.08	
d. "RISE differential" (a) - (c) =	84,652.92	\$84,653 Rounded

Step 2 Determine the amount of the contingency unfulfilled.

An average of 13 FTE new jobs were created & 14 FTE jobs were retained for a total of 27 jobs by Evolution Tools. The funding contingency required that 36 FTE new jobs be created & 14 FTE jobs be retained for a total of 50 jobs.

a. Contingency total # of jobs created/retained:	50
b. - Actual total # of jobs created/retained:	<u>27</u>
c. Contingency unfulfilled amount:	23
Determine percentage = (c/a)	46.00%

Therefore the percentage of contingency still unfulfilled is: 46% Rounded

Step 3 Determine the prorated amount by multiplying the RISE differential amount by the percentage of the contingency still unfulfilled.

$$\begin{array}{r} \text{Prorated amount} = (\text{Step 1.d}) \times (\text{Step 2 \%}) = \text{Prorated Amount} \\ \$84,653 \quad \times \quad 46\% \quad \boxed{\$38,940} \\ \text{Rounded} \end{array}$$