

IOWA DEPARTMENT OF TRANSPORTATION

AGENDA ITEMS/COMMISSION ORDERS

Tuesday, September 15, 2009
Materials Conference Room
Ames DOT Complex

<u>ITEM NUMBER</u>	<u>TITLE</u>	<u>SUBMITTED BY</u>	<u>PAGE</u>
D-2010-12 8:00 a.m.	*Approving Minutes of the August 11, 2009, Commission Meeting in Council Bluffs Commission Comments Staff Comments	Connie Page	1
MV-2010-13 8:05 a.m.	*Administrative Rules – Chapter 620 “OWI and Implied Consent”	Mark Lowe	2
PPM-2010-14 8:10 a.m.	*Administrative Rule 813 – Close-Clearance Warning Signs Along Railroad Tracks	Stuart Anderson	5
PPM-2010-15 8:15 a.m.	*Revitalize Iowa’s Sound Economy (RISE) Application – City of Mitchellville (Delegation)	Craig Markley	13
PPM-2010-16 8:20 a.m.	*Revitalize Iowa’s Sound Economy (RISE) Application – City of West Bend (Delegation)	Craig Markley	16
PPM-2010-17 8:25 a.m.	*Revitalize Iowa’s Sound Economy (RISE) Application – City of Elkader (Delegation)	Craig Markley	19
PPM-2010-18 8:30 a.m.	*2010-2014 Iowa Highway Program Amendment	Jon Ranney	22

*Action Item

On Monday, September 14, the Commission and staff will meet informally at 3 p.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-2010-12
Submitted by Connie Page Phone No. 515-239-1242 Meeting Date September 15, 2009
Title Approving Minutes of the August 11, 2009, Commission Meeting in Council Bluffs

DISCUSSION/BACKGROUND:

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the minutes of the August 11, 2009, Commission meeting in Council Bluffs.

COMMISSION ACTION:

Moved by Blouin Seconded by Reasner

	Aye	Vote Nay	Pass
Blouin	<u>X</u>	<u> </u>	<u> </u>
Cleveland	<u>X</u>	<u> </u>	<u> </u>
Durham	<u>X</u>	<u> </u>	<u> </u>
Miles	<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

Commission Comments

1. Commission Review of Agenda Items

Chairman Sawtelle said the Commission had the opportunity to review the agenda items in a workshop yesterday or in previous workshops.

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Motor Vehicle Division Order No. MV-2010-13
 Submitted by Mark Lowe Phone No. 515-239-1111 Meeting Date September 15, 2009
 Title Administrative Rules -- Chapter 620 "OWI and Implied Consent"

DISCUSSION/BACKGROUND:

The purpose of this proposed rulemaking is to provide regulation required by changes to Iowa Code section 321J.4(2) made by 2009 Iowa Acts, Senate File 419, section 13.

2009 Iowa Acts, Senate File 419, section 13, amended Iowa Code section 321J.4(2) to reduce the minimum period of ineligibility from one year to 45 days for a temporary restricted license (TRL) for a person convicted of operating while intoxicated (OWI) who has had a previous conviction or revocation under Iowa Code chapter 321J, effective July 1, 2009. This was in response to an amendment to 23 U.S.C. section 164 made by the SAFETEA-LU Technical Corrections Act of 2008. Previously, 23 U.S.C. section 164 required states to issue a repeat offender a one-year hard revocation of driving privileges, and now allows states to impose either a one-year hard revocation or a 45-day hard revocation followed by a period of restricted driving to and from work, school, or alcohol treatment program. The amendment to Iowa Code section 321J.4(2) appears clearly calculated to remain within the requirements of 23 U.S.C. section 164, and requires interpretation of the proper scope during the first year of revocation of a TRL issued to a person whose driving privileges are revoked under Iowa Code section 321J.4(2) not addressed in current rule. Accordingly, a new subrule is needed to address the proper scope of such a TRL. Further, the National Highway Traffic Safety Administration (NHTSA), which enforces compliance with the requirements of 23 U.S.C. section 164, has reviewed the amendment to Iowa Code section 321J.4(2) and advised the department it renders Iowa out of compliance with the requirements of 23 U.S.C. section 164, absent a corresponding administrative rule that makes clear that the department is interpreting and enforcing Iowa Code section 321J.4(2) in compliance with the requirements of 23 U.S.C. section 164. The new subrule will confirm Iowa's compliance with these federal requirements and prevent reallocation of necessary federal highway funds, which would otherwise occur on October 1, 2009.

We are now in the rulemaking process to allow for public comment and to replace an identical emergency filing, discussed below. The comment period ended September 1 and no comments or requests for oral presentations were received.

This amendment is identical to the amendment published under Notice of Intended Action and the amendment published under Adopted and Filed Emergency and is intended to implement Iowa Code section 321J.4(2) as amended by 2009 Iowa Acts, Senate File 419, section 13. This amendment will become effective November 11, 2009, at which time the Adopted and Filed Emergency amendment is hereby rescinded.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the rule amendments.

COMMISSION ACTION:

Moved by Cleaveland Seconded by Durham

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

Division
Director

Legal

State Director

Adopt the following new subrule 620.3(6):

620.3(6) Issuance of temporary restricted license to repeat offender whose driving privilege is revoked under Iowa Code section 321J.4(2).

a. It is the opinion of the department that the amendment of Iowa Code section 321J.4(2) by 2009 Iowa Acts, Senate File 419, section 13, was undertaken in response to changes to 23 U.S.C. § 164, "Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence," effected by the SAFETEA-LU Technical Corrections Act of 2008, Public Law No. 110-244, § 115, 122 Stat. 1572 (June 6, 2008), and that Iowa Code section 321J.4(2) as amended by 2009 Iowa Acts, Senate File 419, section 13, is intended to remain and be interpreted in conformance with the requirements of 23 U.S.C. § 164, including the requirements for restricted driving privileges after 45 days.

b. Accordingly, any provision in subrules 620.3(1) to 620.3(5) notwithstanding, any temporary restricted license issued to a person whose driving privilege is revoked under Iowa Code section 321J.4(2) shall be limited during the first year of the two-year revocation period to driving to and from work when necessary to maintain the person's present employment, and shall not be allowed for any other purpose, including but not limited to transporting dependent children to and from a location for child care. After the first year of the two-year revocation period, a temporary restricted license issued to a person whose driving privilege is revoked under Iowa Code section 321J.4(2) may permit the person to drive to and from work as well as for any other work purpose when necessary to maintain the person's present employment and may permit the person to transport dependent children to and from a location for child care when that activity is essential to continuation of the person's employment.

c. All pleadings and orders submitted by the department under Iowa Code section 321J.4(9) in regard to a person whose driving privilege is revoked under Iowa Code section 321J.4(2) will be in accord with the requirements of this subrule, and the department shall enforce any order authorizing the department to issue a temporary restricted license to a person whose driving privilege is revoked under Iowa Code section 321J.4(2) according to the requirements of this subrule.

d. The department interprets 2009 Iowa Acts, Senate File 419, section 13, as applying to convictions entered on or after July 1, 2009, and accordingly this subrule shall apply to revocations arising from convictions entered on or after July 1, 2009.

DATE

NANCY J. RICHARDSON, DIRECTOR

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Planning, Programming & Modal Division Order No. PPM-2010-14

Submitted by Stuart Anderson Phone No. 515-239-1661 Meeting Date September 15, 2009

Title Administrative Rules -- Chapter 813 Close-Clearance Warning Signs Along Railroad Tracks

DISCUSSION/BACKGROUND:

The purpose of this proposed rule is to comply with Iowa Code section 327F.13.

Iowa Code section 327F.13 requires the Department of Transportation to adopt rules concerning close-clearance warning signs along railroad tracks where the clearance between the tracks and an obstruction along the tracks physically impedes a person who is lawfully riding on the side of a train from clearing the obstruction. New Chapter 813 implements this rule-making requirement.

The rules were published in the July 1, 2009, Administrative Bulletin. Public written comments were received through July 21, 2009, and a public hearing was held July 23, 2009.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the attached rule.

COMMISSION ACTION:

Moved by Durham Seconded by Cleaveland

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

_____	_____	_____
Division Director	Legal	State Director

Adopt the following new 761—Chapter 813:

CHAPTER 813

CLOSE-CLEARANCE WARNING SIGNS ALONG RAILROAD TRACKS

761—813.1(327F) Purpose and scope. This chapter implements Iowa Code section 327F.13.

This statute requires the Iowa department of transportation (department) to implement the placement of close-clearance warning signs along railroad tracks where the close clearance between the tracks and an obstruction physically impedes a person who is lawfully riding the side of a train from clearing the obstruction. This chapter only applies when funds are available from the department to reimburse the owner for the cost of the close-clearance warning sign and installation.

761—813.2(327F) Applicability. This chapter applies to railroad companies as well as industries, agricultural cooperatives or other entities that are owners of a railroad track, and it applies to individuals who are owners of a railroad track. This chapter does not apply to any railroad locations where locomotives are powered by overhead or suspended electric power.

761—813.3(327F) Information. Information regarding this chapter is available from the Office of Rail Transportation, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010; telephone (515)239-1140.

761—813.4(327F) Definitions.

"Close clearance" means a permanent or temporary situation where an obstruction near a railroad track physically impedes a person who is lawfully riding the side of a train from clearing the obstruction. Rule 761—813.5(327F) provides further detail on the dimensions that identify a close-clearance situation.

"Obstruction" means a building, machinery (other than equipment designed for operation on a railroad track when actually located on a railroad track), tree, brush or other object.

"Owner" means the railroad company, industry, agricultural cooperative, other entity, or individual that holds a fee simple title, easement, leasehold, contract to purchase, license, or other legal or equitable interest or right in the railroad track, and is in primary possession and control of the railroad track.

"Tangent track" means a track segment without any curves.

761—813.5(327F) Close-clearance dimensions.

813.5(1) Close clearance for tangent track is a location along the railroad track where there is an obstruction that falls within the following dimensions: starting at the centerline of track at top of rail and extending 5 feet both sides horizontally and level therewith, thence upward vertically 15 inches, thence upward diagonally to a point 4 feet above top of rail and 8 feet laterally from centerline of track, thence vertically to a point 20 feet above top of rail, thence diagonally to a point 6 feet from centerline of track and 22 feet above top of rail, thence horizontally to centerline of track. Vertical clearance shall be 18 feet above top of rail at the entrance to and inside buildings. On curved track, clearances on each side of the track centerline shall be increased 1 ½ inches per degree of curvature. (See Figure 1.)

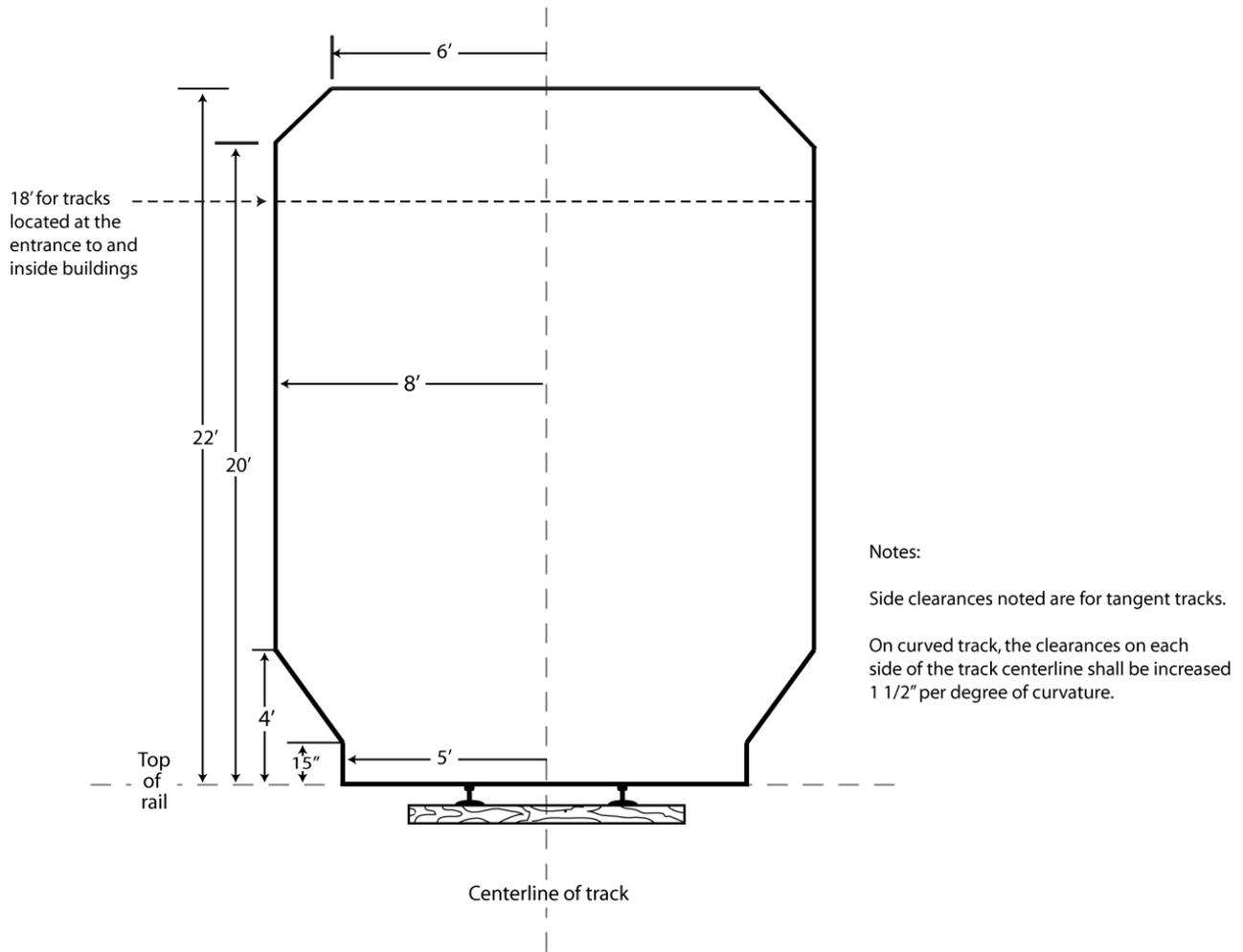


Figure 1

813.5(2) Reserved.

761—813.6(327F) Signing requirements.

813.6(1) A close-clearance warning sign or signs are required at all locations where there is close clearance. It is the responsibility of the owner to ensure that all close-clearance locations have warning signs.

813.6(2) If an obstruction creating a close-clearance situation is a temporary or nonpermanent obstruction, in lieu of signing the owner may meet the requirements of this rule by

opting to remove the obstruction or remove the track from service until the obstruction is removed.

813.6(3) A close-clearance warning sign shall be placed in a location that provides adequate notice to a person who is lawfully riding the side of a train so that the person may prepare for the close clearance.

813.6(4) A close-clearance warning sign shall comply with the following requirements. A warning sign shall:

- a. Include the words "no clearance." The letters must be black on a white reflective background and be a minimum of 3 inches high.
- b. Be a vertical sign not less than 42 inches in height and 4 inches in width.
- c. Be placed at least 1 foot off the ground or on the obstruction and within 3 feet of the close-clearance location or on the obstruction. Signs shall be located on both sides of the obstruction so as to be visible from both directions.
- d. Not be within 8 feet of the centerline of the tracks.

813.6(5) In the event that the placement of the close-clearance warning sign according to paragraph 813.6(4)"c" or 813.6(4)"d" does not provide adequate notice for a person who is lawfully riding the side of a train to prepare for the close clearance (such as a curve or other sight obstruction), an additional sign reading "no clearance ahead" shall be placed in a location that provides adequate notice to the person who is lawfully riding the side of the train so that the person may prepare for the close clearance. Depending on the particular environment that makes an additional "no clearance ahead" sign necessary, a "no clearance ahead" sign may be required on one or on both sides of the obstruction so as to be visible from both directions.

813.6(6) In the event that the physical environment prevents the placement of a warning sign in accordance with paragraph 813.6(4)"c" or 813.6(4)"d," the sign shall be placed in a highly visible location that is clearly indicative of the point of close clearance. An alternative size and shape of sign may be used if there is no location available where a standard size and shape sign may be used. Any alternative sign must clearly be identifiable as an indicator of the close-clearance situation.

813.6(7) In limited situations where multiple instances of insufficient clearance occur within a confined area or over a distance, and where posting of multiple warning signs could on its own be a safety hazard, or where multiple signs would create a confusing environment making it difficult to discern the areas that lack clearance, a sign reading "no clearance ahead" may be posted in lieu of multiple signs.

813.6(8) A line or other marker shall be maintained at a distance of 8 feet from the centerline of the track on all platforms, excluding passenger platforms, to indicate the space along the edge of such platform that shall be kept clear of merchandise, material, or other articles that could create a temporary close-clearance situation.

813.6(9) Placement of a warning sign does not relieve the owner from any duties required under Iowa Code chapter 317 or Iowa Code section 327F.27.

761—813.7 and 813.8 Reserved.

761—813.9(327F) Enforcement.

813.9(1) If the owner is provided written notice by an employee, a person working on or near the tracks, or a railroad inspector that a location is in need of a close-clearance warning

sign, the owner shall investigate and, if warranted, ensure the placement of a warning sign or signs within 30 calendar days of notification. If a close-clearance warning sign is not warranted, the owner shall inform the person who provided notice, in writing within 30 calendar days, that a sign is not warranted and shall explain why the location does not need a close-clearance warning sign.

813.9(2) If the owner fails to respond to a written notice by an employee or another person working on or near the tracks, or if the employee or other person disagrees with the owner's determination that a warning sign is not warranted, the employee or other person may notify the department. The department shall investigate and make a determination if the location warrants the placement of a close-clearance warning sign.

a. If the department determines a close-clearance warning sign is warranted, the department shall notify the owner in writing. The owner shall have 14 calendar days from the date of the notification to install the proper warning sign. Failure to install the close-clearance warning sign is evidence that the owner is in violation of Iowa Code section 327F.13.

b. The owner, an employee or a person working on or near the tracks may contest the determination. If the determination is contested, 761—Chapter 13 applies.

761—813.10(327F) Reimbursement.

813.10(1) The owner may request reimbursement from the department for up to \$100 per sign for the cost and installation of the close-clearance or no clearance ahead warning sign.

813.10(2) To be reimbursed, the owner shall complete Form 291303, "Close-Clearance Warning Sign Certification," and submit the form to the office of rail transportation. The owner must certify that the warning sign complies with the requirements in rule 761—813.6(327F) and provide proof of purchase.

813.10(3) The department may inspect, at any time, the sign installation to confirm that the warning sign meets the minimum requirements in rule 761—813.6(327F).

813.10(4) Form 291303 is available on the department's Internet Web site at <http://www.iowadot.gov/forms/index.htm> or from the office of rail transportation.

These rules are intended to implement Iowa Code section 327F.13.

DATE

NANCY J. RICHARDSON, DIRECTOR

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Planning, Programming and Modal Division
Office of Systems Planning Order No. PPM-2010-15
 Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date September 15, 2009
 Title Revitalize Iowa's Sound Economy (RISE) Application – Mitchellville (Delegation)

DISCUSSION/BACKGROUND:

The city of Mitchellville submitted a RISE Local Development application in the February 2009 round requesting a grant to assist in the reconstruction of 1,800 feet of Cotton Avenue and grade and pave approximately 1,700 feet of roadway to provide access to three lots totaling more than 59.5 acres in the proposed Hermann Industrial and Business Park.

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 \$1,095,636 or up to 50 percent of the total RISE-eligible project cost, whichever is less, from the city share of the RISE funds.

COMMISSION ACTION:

Moved by _____ Seconded by _____

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

Division
Director

Legal

State Director

PPM-2010-15

Craig Markley, Office of Systems Planning, reviewed a RISE local development application from the city of Mitchellville to reconstruct approximately 1,800 ft. of Cotton Avenue and grade and pave 1,700 ft. of roadway to provide access to three lots totaling over 59.5 acres in the new Hermann Industrial and Business Park on the northwest side of town, south of I-80. The project received a rating of 43 points. The total estimated project cost is \$2,191,272. The city is requesting a RISE grant of \$1,095,636 and will provide a 50 percent local match. He introduced Jeff Horne, Mitchellville City Administrator.

Mr. Horne said they have been working on this project for some time. This project will get the ball rolling and eventually they will open up the entire 200-acre parcel to allow for more expansion. He noted they have access to rail on the south side. He expressed appreciation to DOT staff for their help with the application.

Mr. Markley reviewed staff's recommendation.

Commissioner Durham moved, Commissioner Blouin seconded the Commission, based on the capital investment commitment and potential for future job creation, award a RISE grant of \$1,095,636 or up to 50 percent of the total RISE eligible project cost, whichever is less, from the city share of the RISE funds. All voted aye.

RISE LOCAL DEVELOPMENT FUNDING
February 2009
SUMMARY

Applicant: City of Mitchellville

Multiyear?: No
Multijurisdiction?: No

ROAD PROJECT LOCATION AND DESCRIPTION: Reconstruct 1,800 feet of Cotton Avenue and grade and pave approximately 1,700 feet of roadway in the proposed Hermann Industrial and Business Park.

ASSOCIATED ECONOMIC DEVELOPMENT: The project will provide access to 3 lots totaling over 59.5 acres for industrial and business uses.

PROJECT FINANCING:

Roadway Project Cost:	\$2,191,272	Local Match (Total):	\$1,095,636
RISE (Total):	\$1,095,636	Up-Front:	\$1,095,636
Grant:	\$1,095,636	NPV of Loan Repayment:	0
Loan:	0	Effective Match Percent:	50
Loan Terms:	Yrs. 0		
	Int.: 0 %	Up-front Participation Sources	City
		Local Match (Total):	\$1,095,636

PROJECT EVALUATION:

Development Potential (35):	20
Economic Impact and Cost Effect. (20):	4
Local Commit. and Initiative (35):	15
Transportation Need (4):	2
Local Economic Need (6):	2

Total Rating: 43

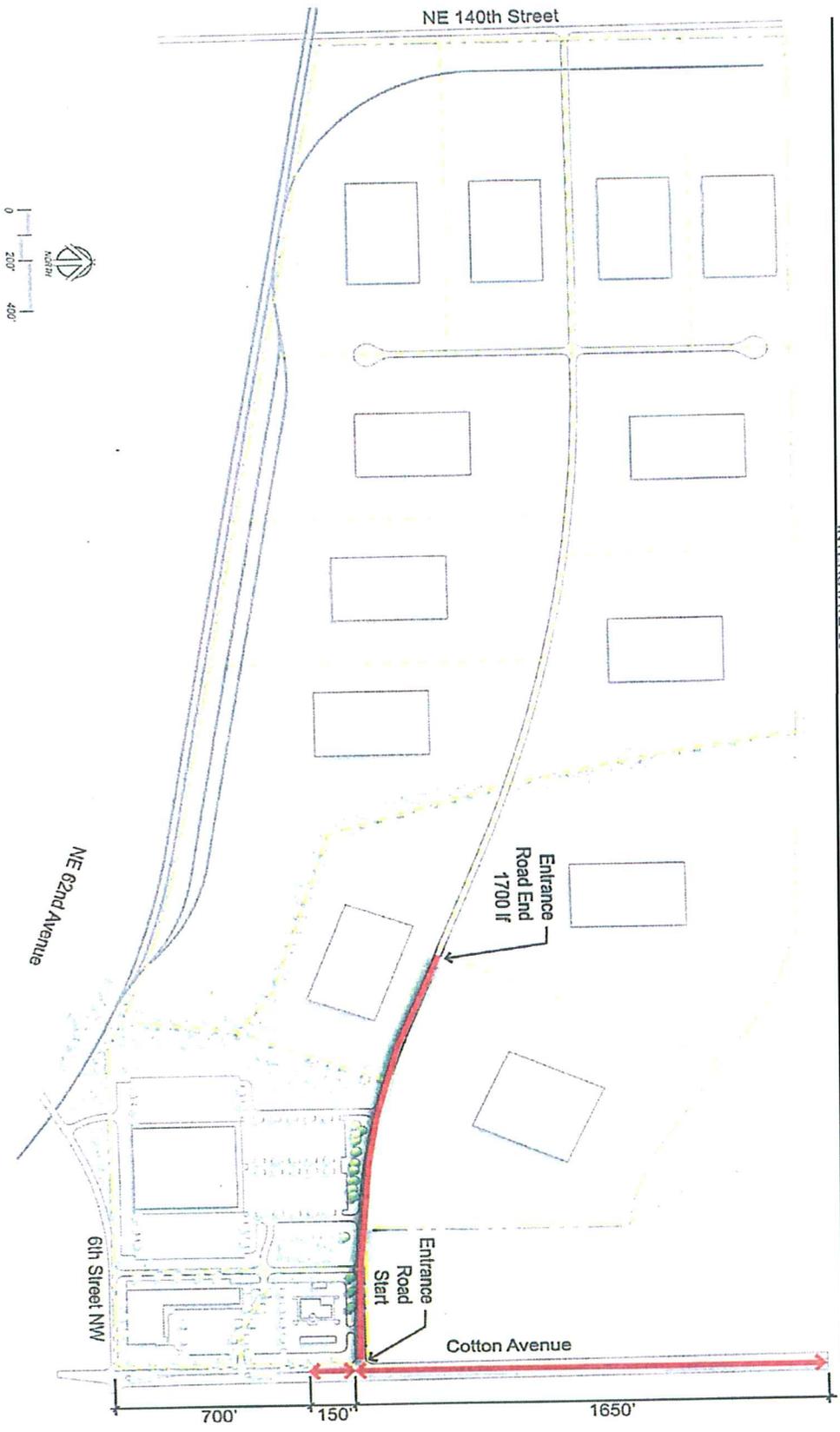
Jobs: 50

STAFF RECOMMENDATION:

Award a grant of \$1,095,636 or up to 50 percent of the total RISE eligible project cost, whichever is less. Funding will come from the city share of the RISE fund.

Mitchellville

INTERSTATE 80



ENTRANCE ROAD IMPROVEMENTS



REG #A/R/21001
August 21, 2009

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Planning, Programming and Modal Division
Office of Systems Planning Order No. PPM-2010-16
 Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date September 15, 2009
 Title Revitalize Iowa's Sound Economy (RISE) Application – West Bend (Delegation)

DISCUSSION/BACKGROUND:

The city of West Bend submitted a RISE Immediate Opportunity application requesting a grant to assist in the construction of approximately 769 feet of Fourth Avenue Northeast east of Iowa 15 and south of 140th Street Northeast.

Because this project will provide access to eight lots totaling more than 8.7 acres of RISE-eligible development and in order to maximize RISE support for the project, staff evaluated the application as a RISE Local Development.

The evaluation and rating for the project will be discussed.

PROPOSAL/ACTION RECOMMENDATION:

Based on the capital investment commitment and potential for future job creation, it is recommended the Commission reclassify the project as a RISE Local Development project in the February 2009 round of applications and award a RISE grant of \$119,799 or up to 50 percent of the total RISE-eligible project cost, whichever is less, from the city share of the RISE funds.

COMMISSION ACTION:

Moved by _____ Seconded by _____

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

Division
Director

Legal

State Director

PPM-2010-16

Craig Markley, Office of Systems Planning, said the city of West Bend submitted a RISE immediate opportunity funding request to construct approximately 769 ft. of Fourth Avenue Northeast for the expansion of a business. However, based on capital investment, job creation, and lots to be opened by the proposed RISE roadway, the project is better suited as a RISE local development project.

Mr. Markley said under RISE local development criteria, the project scored 55 points. The total estimated project cost is \$239,597. The city is requesting a RISE grant of \$119,799 and will provide a 50 percent local match. He introduced Paul Lauck, City Council Member.

Mr. Lauck said Country Maid is proposing to build a new production plant to improve their food safety standards, to assist the company in compliance with the bioterrorism act, to prepare for more stringent future food safety regulations, and to build adjoining office space with a training center to educate their dealer network employees. Country Maid sells their products exclusively through their dealer network of 83 dealers which operate in 44 states. This expansion is projected to create 19 new and retain 10 full-time jobs. The beneficiaries of the project include the retained existing and proposed new employees as well as the community and local economy of West Bend as the new jobs will bring additional workers to the community.

Mr. Markley reviewed the recommendation of staff.

Commissioner Cleaveland moved, Commissioner Wiley seconded the Commission, based on the capital investment commitment and potential for future job creation, reclassify the project as a RISE Local Development project in the February 2009 round of applications and award a RISE grant of \$119,799 or up to 50 percent of the total RISE-eligible project cost, whichever is less, from the city share of the RISE funds. All voted aye.

RISE LOCAL DEVELOPMENT FUNDING
February 2009
SUMMARY

Applicant: City of West Bend

Multiyear?: No

Multijurisdiction?: No

ROAD PROJECT LOCATION AND DESCRIPTION: Grade and pave approximately 769 feet of 4th Avenue NE east of Highway 15 and south of 140th Street Northeast.

ASSOCIATED ECONOMIC DEVELOPMENT: The new roadway will provide paved access to 8 lots totaling over 8.7 acres of RISE-eligible land including the expansion of Country Maid facility.

PROJECT FINANCING:

Roadway Project Cost:	\$239,597	Local Match (Total):	\$119,798
RISE (Total):	\$119,799	Up-Front:	\$119,798
Grant:	\$119,799	NPV of Loan Repayment:	0
Loan:	0	Effective Match Percent:	50
Loan Terms:	Yrs. 0	Up-front Participation Sources:	
	Int.: 0 %	Public:	\$119,798
		Local Match (Total):	\$119,798

PROJECT EVALUATION:

Development Potential (35):	25
Economic Impact and Cost Effect. (20):	14
Local Commit. and Initiative (35):	11
Transportation Need (4):	1
Local Economic Need (6):	4

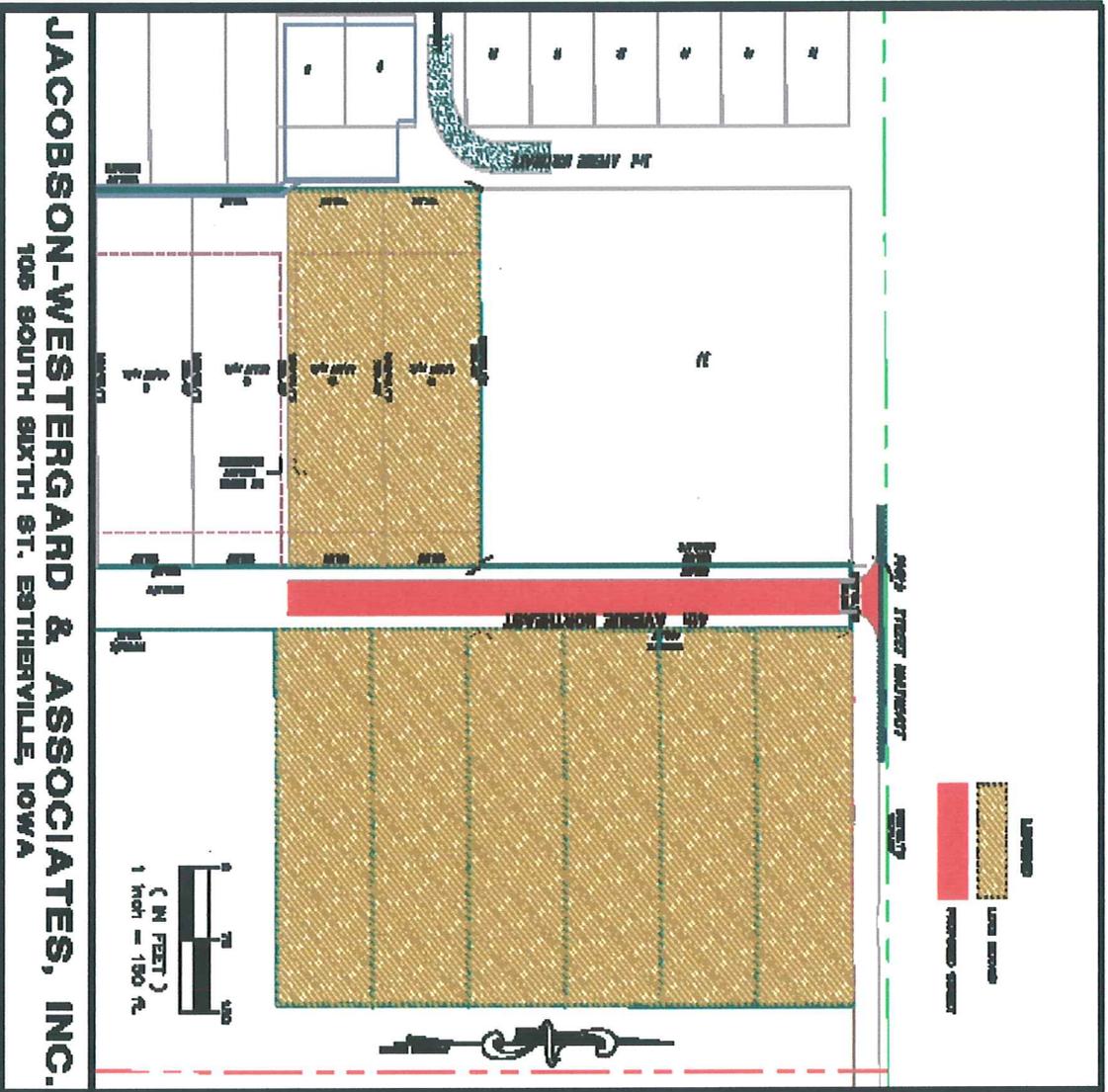
Total Rating: 55

Jobs: 25

STAFF RECOMMENDATION:

Award a grant of \$119,799 or up to 50 percent of the total RISE eligible project cost, whichever is less. Funding will come from the city share of the RISE fund.

West Bend RISE



**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Planning, Programming and Modal Division
Office of Systems Planning Order No. PPM-2010-17
 Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date September 15, 2009
 Title Revitalize Iowa's Sound Economy (RISE) Application – Elkader (Delegation)

DISCUSSION/BACKGROUND:

The city of Elkader submitted a RISE Immediate Opportunity application requesting a grant to assist in the construction of approximately 1,035 feet of Miller Street east from Gunder Road to Johnson Street, provide turning lanes on High Street and install 1,425 feet of curb and gutter on Johnson Street in the Johnson Industrial Park.

Because this project will provide access to 13 lots totaling more than 26.9 acres of RISE-eligible development and to maximize RISE support for the project, staff evaluated the application as a RISE Local Development project.

The evaluation and rating for the project will be discussed.

PROPOSAL/ACTION RECOMMENDATION:

Based on the capital investment commitment and potential for future job creation, it is recommended the Commission reclassify the project as a RISE Local Development project in the February 2009 round of applications and award a RISE grant of \$409,050 or up to 50 percent of the total RISE-eligible project cost, whichever is less, from the city share of the RISE funds.

COMMISSION ACTION:

Moved by _____ Seconded by _____

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

Division Director _____ Legal _____ State Director

PPM-2010-17

Craig Markley, Office of Systems Planning, said the city of Elkader submitted a RISE immediate opportunity funding request to construct approximately 1,035 ft. of Miller Street east from Gunder Road to Johnson Street, provide turn lanes on High Street, and install 1,425 ft. of curb and gutter on Johnson Street. However, based on the capital investment, job creation, and lots to be opened by the proposed roadway, this is better suited as a RISE local development project.

Mr. Markley said under the RISE local development criteria, the project scored 56 points. The total estimated project cost is \$818,099; and the city is requesting a RISE grant of \$409,050 and will provide a 50 percent local match. He introduced State Representative Roger Thomas, Elkader Economic Development Director.

Representative Thomas introduced Roger Molen, engineer for the project, and expressed appreciation for the Commission's due diligence on this project; it means a lot to Elkader. He reviewed the various businesses currently located in the business park. Mobile Track Solutions is the new company that will be locating at the park. It is about a \$7.3 million investment, and they are looking at creating 14 new jobs with up to 50 new jobs in a couple years. That is a big deal for a community of 1,500 people.

Representative Thomas said other funding sources approved for this company include an enterprise zone, 260E, research and development tax credits, and the city has offered about a \$700,000 rebate for property taxes on that new construction. In regard to marketing, they worked with the University of Northern Iowa to develop a flyer which they send to businesses in other states to recruit business.

Roger Molen reviewed some benefits this project will have on the transportation network around Elkader. Currently, High Street is the only link from the Johnson Park to a major highway system. Due to the narrow width of High Street, the turning lane will allow trucks to egress and ingress the development minimizing traffic disruption on High Street and making it a safer traffic area. Improvements to Miller Street will provide an important link to a second major highway system. This second link will ensure an uninterrupted access to Johnson Park for supply and emergency services and also decrease the amount of truck traffic in the Elkader downtown area. All the infrastructure (water, sewer, telephone, fiber optic) is in place.

Mr. Markley reviewed the recommendation of staff.

Commissioner Blouin moved, Commissioner Wiley seconded the Commission, based on the capital investment commitment and potential for future job creation, reclassify the project as a RISE Local Development project in the February 2009 round of applications and award a RISE grant of \$409,050 or up to 50 percent of the total RISE eligible project cost, whichever is less, from the city share of the RISE funds. All voted aye.

RISE LOCAL DEVELOPMENT FUNDING
February 2009
SUMMARY

Applicant: City of Elkader

Multiyear?: No

Multijurisdiction?: No

ROAD PROJECT LOCATION AND DESCRIPTION: Construct approximately 1,035 feet of Miller Street from Gunder Road east to Johnson Street, provide turning lanes on High Street and install 1,425 feet of curb and gutter on Johnson Street in the Johnson Industrial Park.

ASSOCIATED ECONOMIC DEVELOPMENT: The project will provide access to 13 lots totaling 26.9 acres of RISE-eligible development for industrial and business uses.

PROJECT FINANCING:

Roadway Project Cost:	\$818,099	Local Match (Total):	\$409,049
RISE (Total):	\$409,050	Up-Front:	\$409,049
Grant:	\$409,050	NPV of Loan Repayment:	0
Loan:	0	Effective Match Percent:	50
Loan Terms:	Yrs. 0	Up-front Participation Sources	City
	Int.: 0 %	Local Match (Total):	\$409,049

PROJECT EVALUATION:

Development Potential (35):	20
Economic Impact and Cost Effect. (20):	14
Local Commit. and Initiative (35):	15
Transportation Need (4):	2
Local Economic Need (6):	5

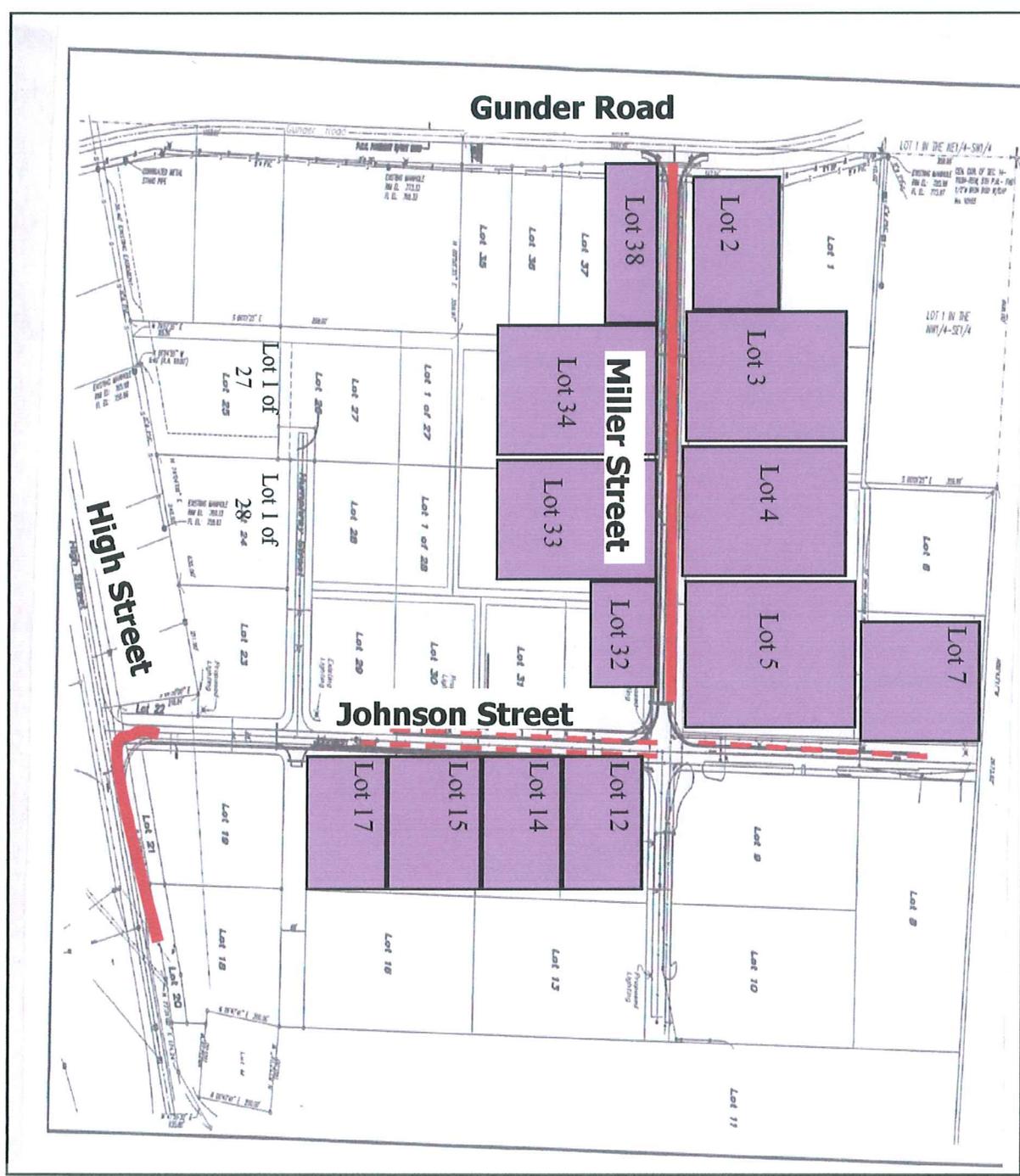
Total Rating: 56

Jobs: 68

STAFF RECOMMENDATION:

Award a grant of \$409,050 or up to 50 percent of the total RISE eligible project cost, whichever is less. Funding will come from the city share of the RISE fund.

Elkader RISE



**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Planning, Programming and Modal Division
Office of Program Management Order No. PPM-2010-18
 Submitted by E. Jon Ranney Phone No. 515-239-1500 Meeting Date September 15, 2009
 Title 2010-2014 Iowa Highway Program Amendment

DISCUSSION/BACKGROUND:

At the July 14, 2009, Commission meeting, the 2010-2014 Iowa Transportation Improvement Program was amended to program 55 bridges using the \$50 million Bridge Safety Fund created through the I-JOBS initiative. Of the \$50 million, approximately \$16 million was programmed to new bridge projects and \$34 million to bridge projects that could be advanced within the existing program due to this funding availability.

As a result of the program changes, it is possible to identify additional bridge projects to add to the program using the approximately \$34 million made available. A list of project changes recommended for the 2010-2014 Iowa Transportation Improvement Program is attached.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the changes to the 2010-2014 Iowa Transportation Improvement Program as listed.

COMMISSION ACTION:

Moved by Cleaveland Seconded by Miles

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

Division
Director

Legal

State Director