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Commission Minutes

May 10, 2016

IOWA TRANSPORTATION COMMISSION
Meeting Agenda / Commission Orders

May 10, 2016
Materials Conference Room
Ames DOT Complex

| ITEM NUMBER | TITLE | SUBMITTED BY | Page |
|--------------|---|-----------------|------|
| D-2016-68 | *Election of Commission Officers | Leonard Boswell | 3 |
| D-2016-69 | *Approve Minutes of the April 12, 2016 Commission Meeting | Danielle Griggs | 5 |
| 1:30 p.m. | Commission Comments DOT Comments | | |
| H-2016-70 | *Administrative Rule: Chapter 121 – Adopt-A-Highway | Mitch Dillavou | 7 |
| PPM -2016-71 | Draft 2017-2021 Iowa Transportation Improvement Program (for information only) | Stuart Anderson | 11 |
| PPM-2016-72 | *Revitalize Iowa’s Sound Economy (RISE) Application – Manning | Craig Markley | 13 |
| PPM-2016-73 | *Revitalize Iowa’s Sound Economy (RISE) Application – Story City | Craig Markley | 17 |
| PPM-2016-74 | *Revitalize Iowa’s Sound Economy (RISE) Project Settlement – Fairfield | Craig Markley | 23 |
| | Public Input | | |
| 1:50 p.m. | Adjourn | | |
| | *Action Item | | |

On Tuesday, May 10, the Commission and staff will meet informally at 10:00 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 Commission Order No. D-2016-68
Submitted by Leonard Boswell Phone No. 515-239-1242 Meeting Date May 10, 2016
Title Election of Commission Officers

DISCUSSION/BACKGROUND:

As a part of the first meeting on or after May 1 of each year, the Commission is required to take action on the following:

In accordance with Iowa Code section 307.3, the "Commission shall meet in May of each year for the purpose of electing one of its members as chairperson." In addition, it is the desire of the Commission that one of its members be designated as vice chairperson to act in the absence of the chairperson.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended Daniel Huber be elected chairperson and John Putney be elected vice chairperson for the period beginning May 1, 2016, and ending April 30, 2017.

COMMISSION ACTION:

Moved by Loree Miles Seconded by Leonard Boswell

| | Aye | Vote Nay | Pass |
|---------|-----|-------------|------|
| Boswell | X | | |
| Fehrman | X | | |
| Huber | X | | |
| Miles | X | | |
| Putney | X | | |
| Rose | X | | |
| Yanney | X | | |

Division Director Legal State Director

D-2016-68

Commissioner Miles thanked Commissioner Boswell for his service this last year as our chair. He has been a very strong and wonderful leader and in spite of his health issues been very tuned into Department issues and done a fine job. Congressman, thank you very much. Sorry you are not here. We have something for you the next time you are here.

Commissioner Boswell said Thank you for the kind words, it has been a pleasure to serve. I realize it is a rotation item, but I was still honored to do it. We've got lots to do, and a lot of responsibility. I'll make one observation, we've seen even today about what to talk about, what not to talk about, and so on, etc. I've always tried to practice that it is okay to bring an item to the table, whatever it is and discuss it again, maybe again, and if it is okay, leave it alone. If it needs some attention, then be willing to give it some attention. So the things we reconsider, I don't consider that a defunct. I just think it an opportunity to do a better job. With that, I thank all of you for allowing me to serve with you. It is a privilege and I'm looking forward to the days ahead. Thank you so much.

Commissioner Miles clarified Congressman Boswell is still a Commissioner, he just will not be serving as the chair. We will look forward to his always present conscience guide us in our deliberations here. With that, she would like to nominate, for our slate of officers for next year Dan Huber be the chair, and that John Putney serve as the vice chair. Commissioner Boswell seconded the motion. All voted aye.

Commissioner Huber asked to let the record show that he passed the gavel from his right hand to his left hand and from left hand to right hand.

Putney said he would like to add on to Loree's comments about you Congressman Boswell. It has been a real privilege for me to serve on this commission with you; you have been a longtime friend and such a distinguished gentleman in all that you have ever done. Again I appreciate it, and you know our thoughts are with you with your challenges. We look forward to see you next month.

Commissioner Boswell said thank you, John, it's a two way street. I appreciate you, as well as, the rest of the commission. Thank you so much.

Commissioner Miles made a motion to nominate Dan Huber as Chair and John Putney as vice chair. Commissioner Boswell seconded. The motion passed unanimously.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Director's Office Order No. D-2016-69
Submitted by Danielle Griggs Phone No. 515-239-1242 Meeting Date May 10, 2016
Title Approve Minutes of the April 12, 2016 Commission Meeting

DISCUSSION/BACKGROUND:

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the minutes of the April 12, 2016 Commission meeting.

COMMISSION ACTION:

Moved by Loree Miles Seconded by David Rose

Division Director Legal State Director

| | Aye | Vote Nay | Pass |
|---------|----------|----------|-------|
| Boswell | <u>x</u> | _____ | _____ |
| Fehrman | <u>x</u> | _____ | _____ |
| Huber | <u>x</u> | _____ | _____ |
| Miles | <u>x</u> | _____ | _____ |
| Putney | <u>x</u> | _____ | _____ |
| Rose | <u>x</u> | _____ | _____ |
| Yanney | <u>x</u> | _____ | _____ |

D-2016-69

Commissioner Miles made a motion to approve the minutes as written. Commissioner Rose seconded the motion. The motion passed unanimously.

Commission Comments

Note: Commissioner Boswell participated by telephone.

DOT Comments

No DOT employees presented topics for discussion.

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Highway Division, Office of Maintenance Order No. H-2016-70
 Submitted by Mitch Dillavou Phone No. 515-239-1124 Meeting Date May 10, 2016
 Title Administrative Rules – 761 IAC 121, Adopt-A-Highway Program

DISCUSSION/BACKGROUND:

The department reviewed 761 IAC 121, Adopt-A-Highway Program, as part of the five-year review of Iowa DOT's rule chapters.

The only change we are proposing to make to the chapter is to add a new subrule requiring eligible sponsors to comply with all applicable laws prohibiting discrimination.

The public comment period ends on May 3, 2016. May 3, 2016, we have received no comments or requests for oral presentations.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the attached rule amendment.

COMMISSION ACTION:

Moved by David Rose Seconded by Charese Yanney

 Division Director Legal State Director

| | Aye | Vote Nay | Pass |
|---------|----------|-------------|-------|
| Boswell | <u>x</u> | _____ | _____ |
| Fehrman | <u>x</u> | _____ | _____ |
| Huber | <u>x</u> | _____ | _____ |
| Miles | <u>x</u> | _____ | _____ |
| Putney | <u>x</u> | _____ | _____ |
| Rose | <u>x</u> | _____ | _____ |
| Yanney | <u>x</u> | _____ | _____ |

Adopt the following **new** subrule 121.4(3):

121.4(3) *Discrimination prohibited.* Eligible sponsors must comply with all applicable laws prohibiting discrimination based on age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion or disability.

H-2016-70

Mitch Dillavou, Highway Division Director - The department reviewed 761 IAC 121, Adopt-A-Highway Program, as part of the five-year review of Iowa DOT's rule chapters.

The only change we are proposing to make to the chapter is to add a new subrule requiring eligible sponsors to comply with all applicable laws prohibiting discrimination.

The public comment period ends on May 3, 2016. As of May 3, 2016, we have received no comments or requests for oral presentations. We have also discussed this at the workshop this morning.

Commissioner Rose moved, Commissioner Yanney seconded the Commission approve of the rule amendment attached to the Commission order. The motion passed unanimously.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division
Office of Program Management Order No. PPM-2016-71
Submitted by Stuart Anderson Phone No. 515-239-1661 Meeting Date May 10, 2016
Title Draft 2017-2021 Iowa Transportation Improvement Program

DISCUSSION/BACKGROUND:

The draft 2017-2021 Iowa Transportation Improvement Program will be reviewed.

PROPOSAL/ACTION RECOMMENDATION:

For information only.

COMMISSION ACTION:

Moved by _____ Seconded by _____

| | Aye | Vote Nay | Pass |
|---------|-------|-------------|-------|
| Boswell | _____ | _____ | _____ |
| Fehrman | _____ | _____ | _____ |
| Huber | _____ | _____ | _____ |
| Miles | _____ | _____ | _____ |
| Putney | _____ | _____ | _____ |
| Rose | _____ | _____ | _____ |
| Yanney | _____ | _____ | _____ |

Division Director Legal State Director

PPM-2016-71

Stuart Anderson, Planning, Programming and Modal Division said the purpose of this item was to provide public notice that the draft 2017-2021 Iowa Transportation Improvement Program has been printed and an electronic version is available on the Iowa DOT website for public review and public comments. The draft program documents your investment in Iowa's multi-modal transportation system. As it relates to the highway system, the draft program invests 3.5 billion dollars of state and federal funding on the primary road and bridge system across the state of Iowa over the next five years. As required by legislation, the draft program includes a section at the end of the highway section that lists those critical projects that have been funded as a result of the fuel tax increase passed last year. This document is available for public comment and we will summarize any comments received and bring you a final program for your consideration at the June meeting.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division
Office of Systems Planning Order No. PPM-2016-72
Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date May 10, 2016
Title Revitalize Iowa's Sound Economy (RISE) Application – Manning

DISCUSSION/BACKGROUND:

The city of Manning submitted a RISE Local Development application in the February 2016 round requesting a grant to assist in paving of approximately 1,101 feet of Commercial Street located on the west side of town.

This project is necessary to provide improved access to four lots totaling more than 18 acres for industrial purposes. This project is anticipated to be completed by November 2017.

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 \$259,918 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 Loree Miles Seconded by Charese Yanney

| | Aye | Vote Nay | Pass |
|---------|----------|--------------|--------------|
| Boswell | <u>x</u> | <u>_____</u> | <u>_____</u> |
| Fehrman | <u>x</u> | <u>_____</u> | <u>_____</u> |
| Huber | <u>x</u> | <u>_____</u> | <u>_____</u> |
| Miles | <u>x</u> | <u>_____</u> | <u>_____</u> |
| Putney | <u>x</u> | <u>_____</u> | <u>_____</u> |
| Rose | <u>x</u> | <u>_____</u> | <u>_____</u> |
| Yanney | <u>x</u> | <u>_____</u> | <u>_____</u> |

Division Director Legal State Director

RISE LOCAL DEVELOPMENT FUNDING
February 2016
SUMMARY

Applicant: Manning

Multiyear?: No
Multijurisdiction?: No

ROAD PROJECT LOCATION AND DESCRIPTION: To pave approximately 1,101 of Commercial Street located on the west side of town.

ASSOCIATED ECONOMIC DEVELOPMENT: This project is necessary to provide improved access to four lots totaling more than 18 acres for industrial purposes.

PROJECT FINANCING:

| | | | |
|-----------------------|-----------|---------------------------------|-----------|
| Roadway Project Cost: | \$519,835 | Local Match (Total): | \$259,917 |
| RISE (Total): | \$259,918 | Up-Front: | \$259,917 |
| Grant: | \$259,918 | NPV of Loan Repayment: | 0 |
| Loan: | 0 | Effective Match Percent: | 50 |
| Loan Terms: | Yrs. 0 | Up-front Participation Sources: | |
| | Int.: 0 % | Private: | |
| | | Public: | \$259,917 |
| | | Local Match (Total): | \$259,917 |

PROJECT EVALUATION:

| | |
|--|----|
| Development Potential (35): | 25 |
| Economic Impact and Cost Effect. (20): | 6 |
| Local Commit. and Initiative (35): | 16 |
| Transportation Need (4): | 3 |
| Local Economic Need (6): | 2 |

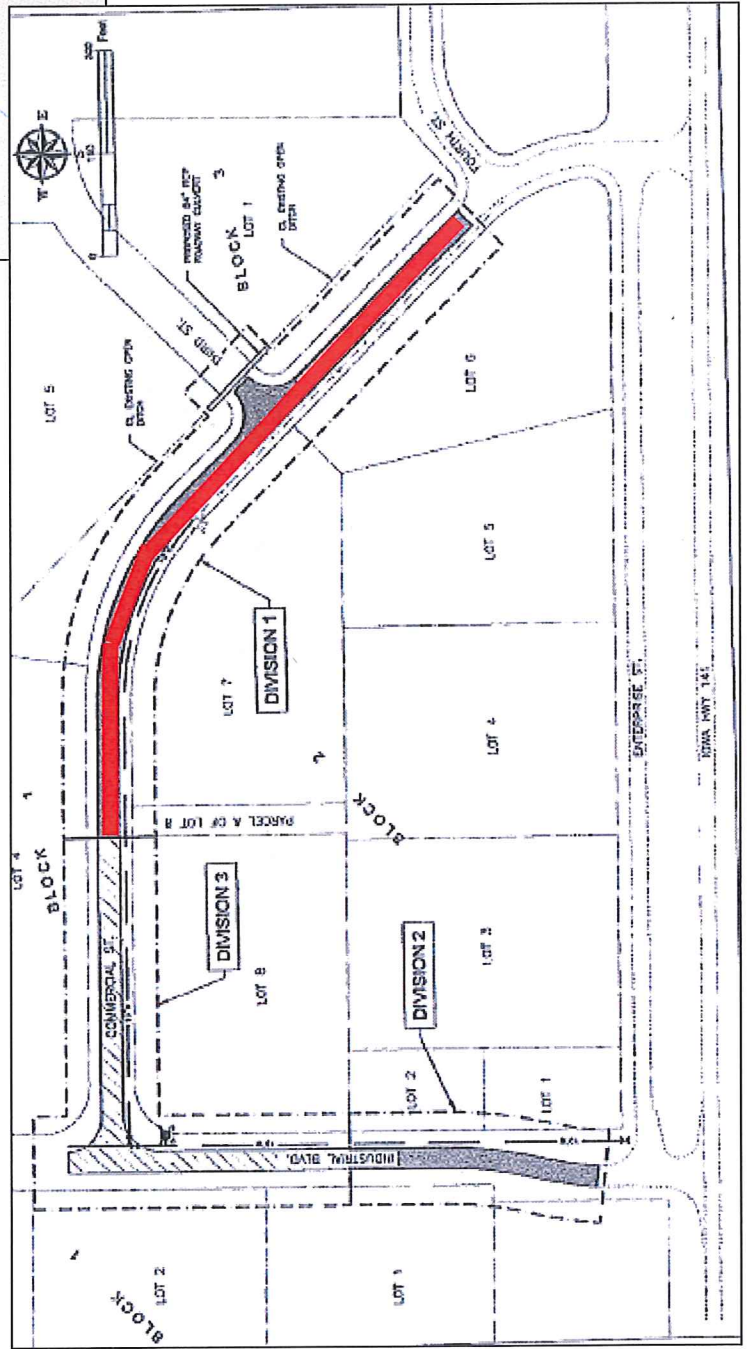
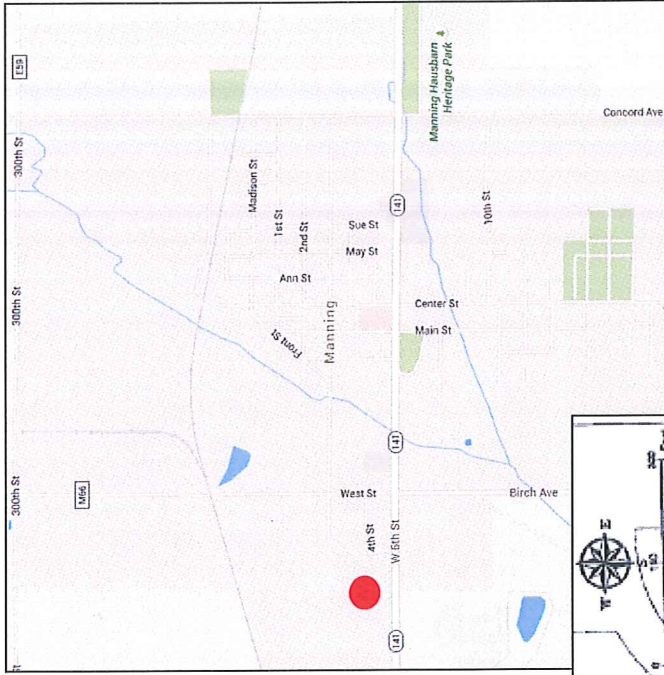
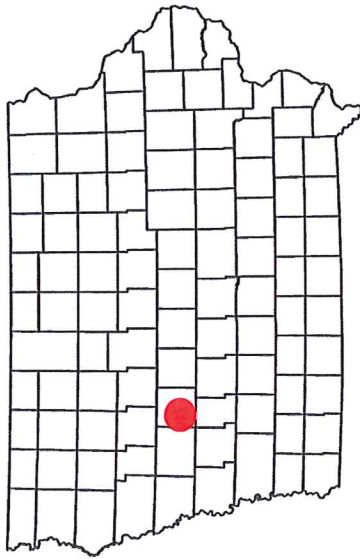
Total Rating: 52

Jobs: 4

STAFF RECOMMENDATION:

Award a grant of \$259,918 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.

Manning



PPM-2016-72

Craig Markley said we have three RISE items for your review this afternoon. First we have an application from the city of Manning. There is not a delegation present.

The city submitted a Local Development RISE funding request to assist in paving of approximately 1,101 feet of Commercial Street located on the west side of town.

This project is necessary to provide access to four lots totaling more than 18 acres for industrial purposes.

Under our RISE Local Development criteria, this project received a rating of 52 points. The total estimated cost of the project is \$519,835. The city of Manning is requesting a RISE grant of \$259,918 and will be providing 50 percent in local match.

It is recommended the Commission, based on the capital investment commitment and potential for future job creation, award a RISE grant of \$259,918 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.

Commissioner Miles moved to approve as presented. Commissioner Yanney seconded the motion. The motion passes unanimously.

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Planning, Programming and Modal Division
Office of Systems Planning Order No. PPM-2016-73
 Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date May 10, 2016
 Title Revitalize Iowa's Sound Economy (RISE) Application – Story City

DISCUSSION/BACKGROUND:

Story City submitted a RISE Local Development application in the February 2016 round requesting a grant to assist in paving of approximately 965 feet of Holm Avenue located on the northwest side of town. The first approximately 325 feet of the requested improvement is necessary to provide improved access to the proposed American Packaging Corporation expansion and the remaining approximately 640 feet of the requested improvement is necessary to provide improved access to 16 acres for future industrial development. Therefore, the application was evaluated as both a RISE Immediate Opportunity and a RISE Local Development application. This project is anticipated to be completed by July 2017.

The roadway improvement necessary to serve the American Packaging Corporation expansion will support:

- The creation of 22 full time jobs.
- \$20,260,195 in associated capital investment.

The total cost of this portion of the project is \$200,099 and a RISE grant of \$160,079 is recommended. This results in a RISE cost per job assisted of \$7,276.32, and a total capital investment of \$126.56 for each RISE dollar recommended.

The remaining roadway improvement is necessary to serve an additional 16 acres for future industrial development to the north of the proposed American Packaging Corporation expansion. The total cost of this improvement is \$322,351 and a RISE grant of \$161,176 is recommended.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission, based on the capital investment commitment and potential for job creation, consider the project as both a RISE Local Development and a RISE Immediate Opportunity and award a RISE grant of \$321,255 from the city share of the RISE Fund or up to 61 percent of the total RISE-eligible project cost, whichever is less.

| COMMISSION ACTION: | | Aye | Vote Nay | Pass |
|---------------------------|--------------------|-----|----------------|-------|
| | Boswell | x | _____ | _____ |
| | Fehrman | x | _____ | _____ |
| | Huber | x | _____ | _____ |
| | Miles | x | _____ | _____ |
| | Putney | x | _____ | _____ |
| | Rose | x | _____ | _____ |
| | Yanney | x | _____ | _____ |
| Moved by | <u>John Putney</u> | | | |
| Seconded by | <u>Loree Miles</u> | | | |
| _____ | _____ | | | |
| Division Director | Legal | | State Director | |

RISE LOCAL DEVELOPMENT FUNDING
February 2016
SUMMARY

Applicant: Story City

Multiyear?: No
Multijurisdiction?: No

ROAD PROJECT LOCATION AND DESCRIPTION: To pave approximately 640 feet of Holm Avenue located on the northwest side of town.

ASSOCIATED ECONOMIC DEVELOPMENT: This project provides improved access to 16 acres for industrial purposes.

PROJECT FINANCING:

| | | | |
|-----------------------|-----------|---------------------------------|-----------|
| Roadway Project Cost: | \$322,351 | Local Match (Total): | \$161,175 |
| RISE (Total): | \$161,176 | Up-Front: | \$161,175 |
| Grant: | \$161,176 | NPV of Loan Repayment: | 0 |
| Loan: | 0 | Effective Match Percent: | 50 |
| Loan Terms: | Yrs. 0 | Up-front Participation Sources: | |
| | Int.: 0 % | Private: | |
| | | Public: | \$161,175 |
| | | Local Match (Total): | \$161,175 |

PROJECT EVALUATION:

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

Total Rating: 40

Jobs: 0

STAFF RECOMMENDATION:

Award a grant of \$161,176 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.

**RISE Immediate Opportunity Funding
Economic Analysis Summary**

GENERAL INFORMATION

Applicant: Story City

Project Location and Description: Paving of approximately 325 feet of Holm Avenue for the proposed expansion of American Packaging Corporation located on the northwest side of town.

Associated Economic Development: The project provides improved access to American Packaging Corporation, an integrated flexible packaging converter.

ECONOMIC IMPACT

Total Roadway Project Cost: \$200,099

RISE Funds Requested: \$160,079; **Grant:** \$160,079; **Loan \$----**

Effective Project Cost to RISE Program: \$160,079

Local Participation: \$40,020; **Sources:** Story City

Non-RISE Total Capital Investment: \$20,000,000

(**Public:** \$260,195; **Private:** \$20,000,000)

Direct Jobs Created: 22; (**Other, Potential Future Jobs:** 0)

Direct Jobs Retained: 0; **Total Direct Jobs Assisted, Short-Term:** 22

Number of Existing Jobs: 245

Project Average Wage Rate of New Jobs: \$21.13/hr.

100% Average Laborshed Wage Rate: \$20.34/hr.

KEY RATIOS

Local Match Ratio: 20% ($\$40,020/\$200,099$)

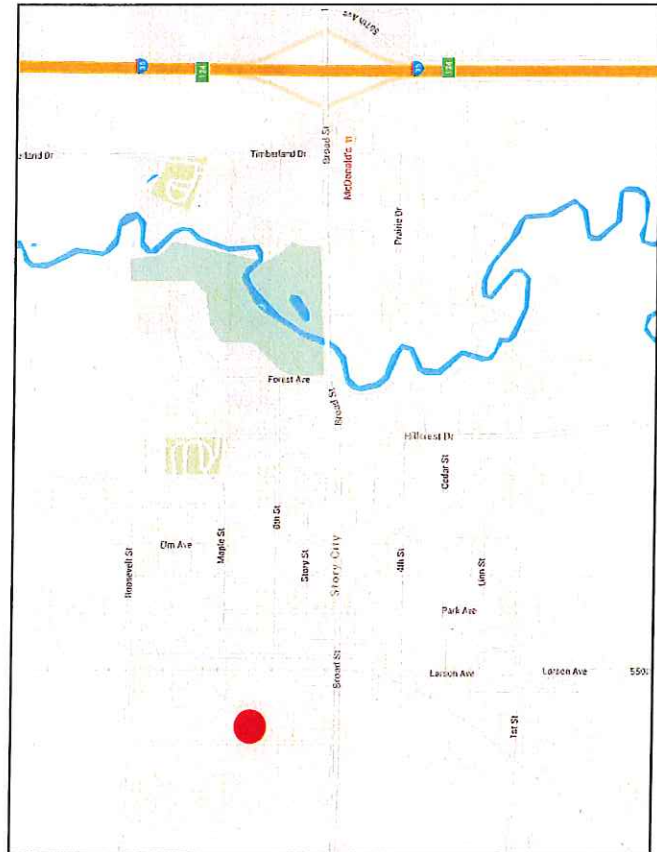
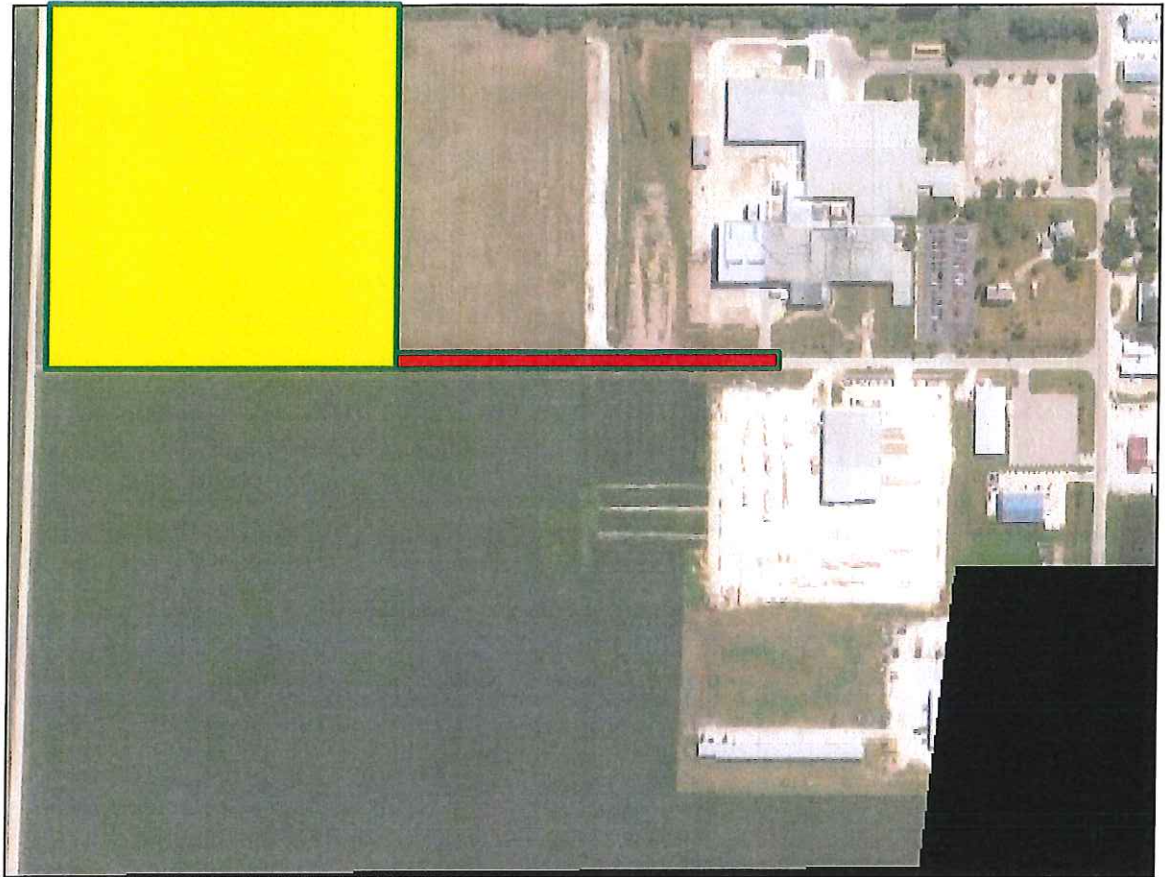
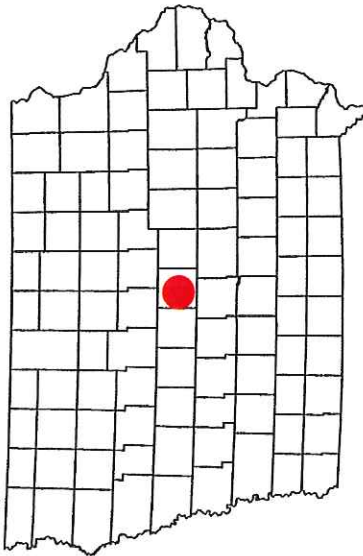
RISE Cost Per Job Assisted (Created): $\$160,079/22 = \$7,276.32$

Total Capital Investment Per RISE Dollar: $\$20,260,195/\$160,079 = \$126.56$

CONCLUSIONS

Narrative: It is recommended the Commission, based on the capital investment and job creation commitments; award a RISE grant of \$160,079 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.

Story City



PPM-2016-73

Craig Markley, Office of Systems Planning said next we have a RISE application from Story City. There is a delegation from there that I will introduce following my presentation of background information.

Story City submitted a RISE Local Development application in the February 2016 round requesting a grant to assist in paving of approximately 965 feet of Holm Avenue located on the northwest side of town. The first approximately 325 feet of the requested improvement is necessary to provide improved access to the proposed American Packaging Corporation expansion and the remaining approximately 640 feet of the requested improvement is necessary to provide improved access to 16 acres for future industrial development. Therefore, the application was evaluated as both a RISE Immediate Opportunity and a RISE Local Development application. This project is anticipated to be completed by July 2017.

The Immediate Opportunity RISE-eligible roadway total cost for the American Packaging Corporation expansion is \$200,099 with a recommended RISE grant of \$160,079. This will result in the creation of 22 full time jobs along with associated capital investment of more than \$20 million.

Average wage of created positions is \$21.13 which is at 104 percent of the Story City laborshed average wage rate of \$20.34 per hour.

The RISE cost per job assisted is \$7,276.32. The total Capital Investment per RISE dollar is \$126.56

The remaining roadway improvements are necessary to serve an additional 16 acres for future industrial development. The total estimated cost of the Local Development project is \$322,351. Story City is requesting a RISE grant of \$161,176 and will be providing 50 percent in local match.

Before I proceed to the staff recommendation I would like to introduce Mayor, Mike Jensen. He will introduce the rest of the delegation and provide some comments.

Mayor Jensen said I've brought City Administrator Mark Jackson and the president of EDC Dwayne Fiihr and we'd like to thank you for considering our grant. This would be a great asset to the community and we appreciate your consideration and I'd like to thank you for your service, as well.

It is recommended the Commission, based on the capital investment commitment and potential for job creation, consider the project as both a RISE Local Development and a RISE Immediate Opportunity and award a RISE grant of \$321,255 from the city share of

the RISE Fund or up to 61 percent of the total RISE-eligible project cost, whichever is less.

Commissioner Putney moved to approve as presented. Commissioner Miles seconded the motion. The motion passes unanimously.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division
Office of Systems Planning Order No. PPM-2016-74
Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date May 10, 2016
Title Revitalize Iowa's Sound Economy (RISE) Project Settlement – Fairfield

DISCUSSION/BACKGROUND:

On December 9, 2008, the city of Fairfield was awarded a RISE grant of \$81,089 to assist in the reconstruction of 10th Street from Grimes Avenue north to Depot Avenue to provide improved access for the Dexter Company.

Commission approval of this project was contingent on the creation of 20 new jobs within three years after completion of the roadway. Associated capital investment was to be \$1,555,110.

On October 8, 2009, the roadway was opened to traffic. As of October 2012, the city of Fairfield had not met the job creation contingency. The department was advised that no jobs were created.

The method of calculation and amount of proposed settlement was provided to the city. The city of Fairfield has agreed to repay the proposed settlement of \$22,300.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the project settlement and proposed payment of \$22,300 for the city of Fairfield.

COMMISSION ACTION:

Moved by Loree Miles Seconded by Charese Yanney

| | Aye | Vote Nay | Pass |
|---------|-----|-------------|------|
| Boswell | x | | |
| Fehrman | x | | |
| Huber | x | | |
| Miles | x | | |
| Putney | x | | |
| Rose | x | | |
| Yanney | x | | |

Division Director Legal State Director

RISE Project Completion Settlement for:

RECIPIENT : City of Fairfield
 PROJECT # : RM-2465(616)--9D-51
 AGREEMENT # : 2009-R-007

Reimbursable Maximum : \$81,089

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: | 59,466.73 |
| b. | FINAL eligible project costs: | 74,333.41 |
| c. | 50% of FINAL eligible costs: | 37,166.71 |
| d. | "RISE differential" (a) - (c) = | 22,300.02 |

\$22,300 Rounded

Step 2 Determine average number of jobs.

| | | | |
|----|------------------------------------|---|---------------|
| a. | FTE Jobs at beginning of 6 months: | 0 | (no payrolls) |
| b. | + FTE Jobs at end of 6 months: | 0 | (no payrolls) |
| | Average number of jobs [(a+b)/2] | 0 | |

Step 3 Determine the amount of the contingency unfulfilled.

No FTE new jobs were created by Dexter Company.
 The funding contingency required that 20 FTE new jobs be created.

| | | |
|----|---|----|
| b. | Contingency total # of jobs created: | 20 |
| c. | Actual total # of jobs created [Avg Jobs - (a+b)]: | 0 |
| d. | Contingency unfulfilled (enter contingent if negative): | 20 |

Determine percentage = (d/b) 100.00%

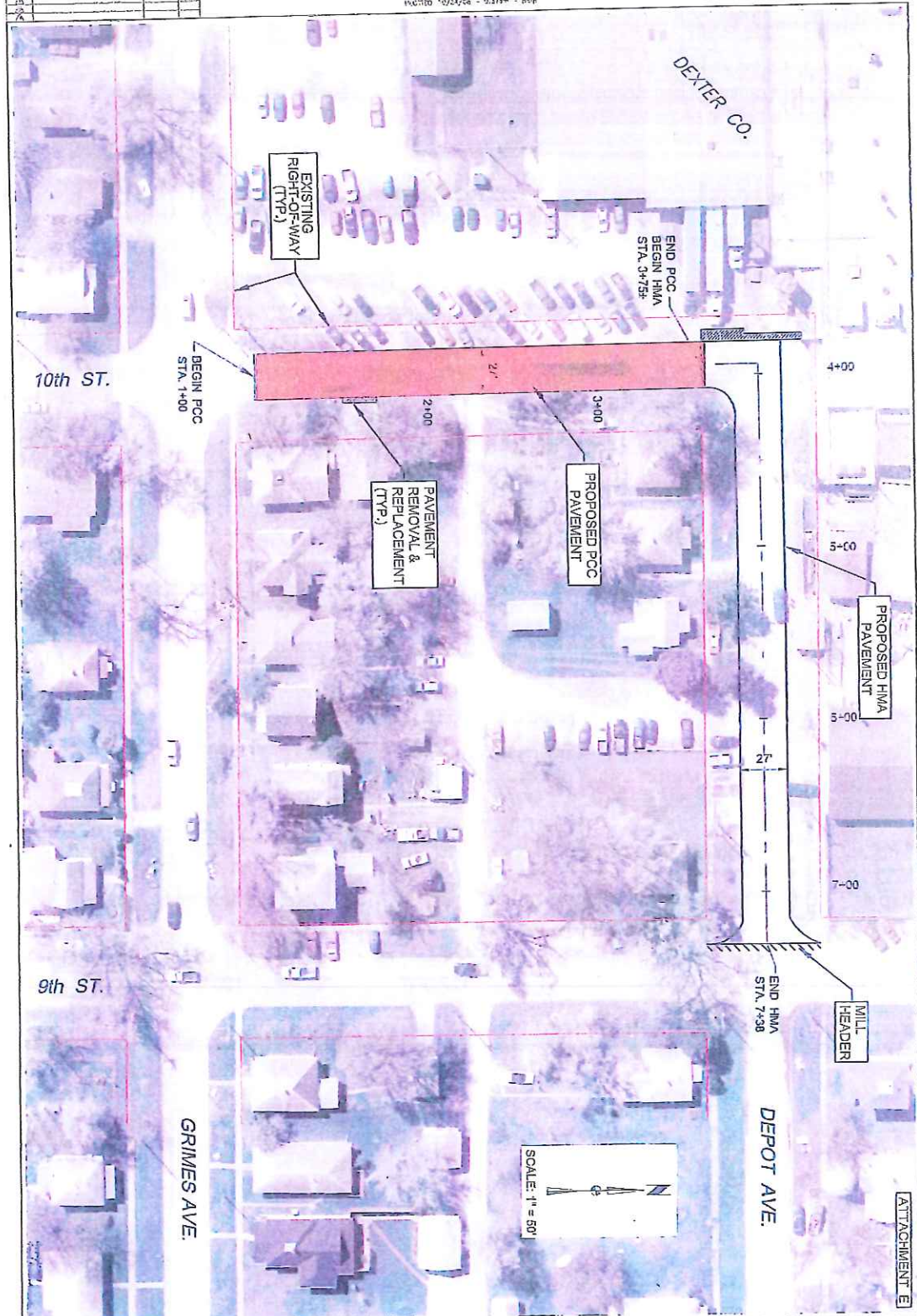
Therefore the percentage of contingency still unfulfilled is: 100% Rounded

Step 4 Determine the prorated amount by multiplying the RISE differential amount by the percentage of the contingency still unfulfilled.

| | | | |
|------------------------------|---|------------|--|
| Prorated amount = (Step 1.d) | X | (Step 3 %) | = Prorated Amount |
| \$22,300 | X | 100% | \$22,300 |
| | | | Rounded |

| NO. | REVISION DESCRIPTION | DATE |
|-----|----------------------|------|
| 1 | | |

GRADING PLAN - RISE PROJECT - DEXTER COMPANY
 PROJECT NO. 02/27/08 - 04/17/08 - 08/08



| | |
|---|---|
| 1 | 1 |
|---|---|

RISE PROJECT - DEXTER COMPANY
 FAIRFIELD, IOWA 2008

PROJECT LAYOUT

FRENCH-RENEKER-ASSOCIATES, INC.
 Fairfield, Iowa Engineers & Surveyors

PPM-2016-74

Craig Markley, Office of Systems Planning; Last, for RISE Immediate Opportunity projects there are job creation commitments 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.

Today we are presenting a proposed settlement with Fairfield for a RISE project awarded in December of 2008. The city received a grant of \$81,089 for roadway improvements contingent on the creation of 20 new jobs by Dexter Company's facility in Fairfield within three years of project completion. In October of 2009 the roadway was opened to traffic. However, the company associated with this project was not able to create any jobs. Based on the settlement policy the city has agreed to a repayment of \$22,300.

Staff recommends the Commission approve the proposed settlement for the Fairfield RISE project.

Commissioner Miles made a motion to approve the project settlement. Commissioner Yanney seconded the motion. Motion passes unanimously.

Public Input

May 10, 2016

Larry Cleverley said he thanks the Commission for appearing. He feels vindicated by the engineering report he sent to the Commissioners last week, and assumes the DOT got a copy, as well. The firm he engaged to analyze this situation has been in business for over 35 years, they do work for the Missouri, Indiana, and Illinois DOTs. He asked the Commission to vet them in any way you want. He did, before he hired them. Simply stated, this report states, that for 1.5 million dollars, two J-turns can be installed at a savings to the people of Iowa of over 14 million dollars. The travel times do not increase, compared to the travel times on the change proposed and the interchange that has been proposed would have prevented only one accident in the five-years that the analysis was completed. When he submitted a FOIA request to the DOT asking for their engineering analysis on this interchange proposal, the only thing he was given was the InTrans report that was completed in late 2014. It is the opinion of the professional engineers he consulted, that the Intrans report is just that an opinion; not an engineering analysis. The Intrans report says as much, that it is their opinion. They feel that the interchange would be safer, but they also mention that the J-turn would be safer, as well, at a much lower cost and a much less cost of right-of-way.

Mr. Cleverley said you should act to keep 60 acres of land on the tax rolls. 30 acres of which is some of the most beautiful unspoiled timber in this state, home to wildlife and native plant species, as the DOT's own environmental people discovered. Its home to the Northern Long-Eared Bat, which our federal government placed on the threatened species list last year. Shouldn't he be able to rent this timber to a neighbor with a father and two sons and their cow-calf operation and continue the long history of agriculture in Iowa? Shouldn't he be able to rent a row crop farm to a father and son who are the third and fourth generation to farm in Jasper County? Shouldn't he be able to continue to grow produce to supply to the people of metropolitan Des Moines? This state was built on that ground. Our 88 year old family farm was and continues to be a part of that history. There is a hill, one of many in this timber, that for over 50 years his grandparents cooked supper over a campfire. They bought this farm 18 months before the stock market crashed in October 1929. They started their campfire supper tradition, and he went with them many times in the 50's and 60's. They started their tradition as a way to clear their heads and figure out how they'd make it through the next week, the next day, the next month. One of the decisions they made on that hillside in 1934 was to sue the DOT because, what is now Highway 30 cut their farm in half. The DOT offered them \$3,000 and they had to move the barn themselves. He still has the barn. So the court awarded them \$10,000 and the DOT had to move the barn. The reason he

said this is apparently he comes from a long line of people who aren't afraid to stand up for what they think is right. But just as his father and grandfather helped shelter, feed, and water the mules used to build what is now Highway 330 his family will be at peace no matter what the final outcome of the business here. He pointed out, that America loses 40 acres of land, farm land, every hour of every day. 350,000 acres a year, at this rate of attrition is not sustainable. He, not being a professional engineer, thinks maybe it's time the IDOT came into the 21st Century, and used some of the more innovative interchange designs that are out there today, J-turns being one of them, designs that are just as safe, move traffic just as efficiently, and take far less right-of-way.

Mr. Cleverley said another question he has for the Commission is does the Commission want to be a part of the problem or do they want to be a part of the solution. He said he can't make up your mind for you. All he can do is give you the facts. He read in the Des Moines Register that because of the House Republicans talked about taking 9 million dollars in funding away from the DOT, the DOT went apoplectic, they are going to have to lay-off 455 people, close drivers license stations, so on and so forth. Well, he has your \$9 million right here, plus another six, maybe more by the time it is done. Mr. Cleverley said that Mr. Trombino said last year in a speech that Iowa's present highway system is not sustainable and here we are, talking about building more highway, spending more money that none of us have. We have mounted one of the biggest battles in the history of the Iowa Department of Transportation. He realizes that the Iowa Highway Commission is in some uncharted water here. We have the largest petition in history against this interchange. Over 10,000 people, can't all of us be wrong. So he again offers the opportunity to come meet with me personally. Come visit our farm, have a discussion, it's the way people do business. He's a business man. We all are. He's asking you to think about your fiduciary responsibility to the people of the state of Iowa. So he came here today to ask you, to pass a motion today, to vote on this appropriation at your June meeting. My family and I want this to end. You want it to end. You have no interest in seeing me again or hearing from me again. The decision is in your hands.

Merlin Pfunkuch of Ames, IA said he would like to support Larry's request. He don't know a lot about this intersection because he does not visualize things well. He have been past this intersection but not been down there since this issue arose. He hope that you have all been down there and I trust that you all have been down there to take a look there personally. He has been reflecting a lot this year on where Iowa is headed. And it has not been much of a happy reflection. He was talking to one of the various political staffers in Iowa before the caucus and he said he didn't know Iowa had so many poor people, who didn't know they were poor. He thought a lot about that, and came to the conclusion that Iowa has to be a lot smarter with how it invests its public

dollars. Look at agriculture, now we have twenty some acres of corn and soybeans a year.

Mr. Pfunkuch said there are bad water pollution problems. Some farmers now say they can't make cost of production for greens, the ethanol plants are struggling. We have a cellulosic ethanol plant about 5 miles east of here that the people I've talking to say it's unlikely it will ever be a go, profitable. We have CAFOs that aren't real popular among the public and I suspect their days are numbered because when the public starts demanding that swine be treated better like they are now demanding of poultry, CAFOs will go; CAFOs have contributed to the problem.

Mr. Pfunkuch said he does not know a lot about the design of this intersection, but if we can save \$15 million for relatively little gain, then we should do so. We have not used our dollars wisely. He doesn't mean to belittle the traffic engineers, but he knows that sometimes they can make mistakes. There is a fairly bad one on I-35 just a few miles from here that now is going to be corrected. So he asks that you, I am here in support of what Larry wants you folks to do, and Larry is Mr. Cleverley. Thank you.

Director Trombino says the department was able to receive a copy of the report form the consultant last Tuesday, he believes. He wanted to let the Commission know that he did have the opportunity to talk to Jason Waters who submitted the report. A couple of things that he wanted to make sure that were clear; The first thing is that the report doesn't make a recommendation of a preferred alternative. He specifically asked Jason that, What it does is basically is gives a summary of findings on page seven. And essentially what he advocated to me, he's advocating from a value engineering prospective. Meaning there's a significant cost difference here and maybe you need to do some cost engineering. He is not specifying between which alternative at all. I specifically asked him that.

Director Trombino said a couple of other things that he thinks are important to know. The firm and Jason did not do a site review so they never visited the site. They only reviewed our documents, which he has attached onto the report. The report confirms the work that the department has completed, that the J-turns are a viable alternative for consideration, but they were not considered for a number of reasons. First of all, the report doesn't take into account the geometrics of the two intersections or the road grades. In other words, the topography at all. They did not consider the topography difference between interchanges, or any geometrics across the segments. Because he asked him that specifically, Mr. Cleverley spoke up to say "That isn't true." Director Trombino said this is the conversation I had with Mr. Waters, if anybody wants to verify that they can do that. Director Trombino said the report does not take into account the

median width concerns with semi-truck turn traffic, he asked him that also, specifically. So when they did vehicle analysis they grouped all of the vehicles together in a single group, they didn't distinguish between vehicle type at all. One of the things that he thinks the Commissioners know, having visited the site a few times and also seeing some video and other things, is that when you have a single truck, they actually span the median, they actually enter both lanes even just sitting in the median overall. So the report doesn't take in prevailing traffic movements of the two side roads into account, the percentage of traffic on the side roads approaching the intersection required to make the J-turn. In other words, are you coming to keep going straight ahead or are you going to make a right or a left turn and the percentages are really high across all of the segments.

Director Trombino said the consultant also didn't distinguish in study the percentage of truck traffic and that is something I specifically asked Jason and he said they did not do that. If you come Interstate 80 a lot of trucks take 65 and then they swing up around that is how they bypass the metro area, we have 10% trucks in one direction and north is 23% trucks just on 65 alone. 117 is 22% of trucks. So when you look at those segments what you have is a lot of truck traffic having to use the J-turn. That becomes a concern with the existing median width, which was another issue for us, you would likely have to expand the overall median width along the entire corridor just to get the truck movement and with the amount of trucks coming in there you would have some significant issues. It doesn't account for prevailing speeds on traffic 65/330. Just the July 13 speed study, 67% of the traffic was traveling over 60 mph. 34% was traveling over 65 mph 8% were traveling over 70 mph.

Director Trombino said the final couple of pieces that he thinks are important is the report doesn't consider local support. The department has gone through a significant public involvement process for many years. This is why we step back to re-evaluate the whole project. He asked for that specifically. The district went back out with essentially with an interchange and a J-turn design and there was not support for the J-turn both times we had gone out. The Baxter Community School district has given a letter of support and has verbally supported the interchange at the October 12, 2015 Commission Meeting. Baxter Police Department, the chief spoke in favor of the project at the June 10, 2015 Commission Meeting; City of Baxter, the mayor and city council approved for the preferred alternative of an interchange in a letter of support. We've also gotten letters of support from Baxter Economic Development and the Baxter Fire Department. So we've had strong community support for the interchange, we did not have support for the J-turn, in addition to the number of issues that we raised as to how we just don't think it would work because of the overall geometrics and the typography in the area.

Director Trombino said the final thing that he thinks is important to note is that we have an agreement in principal with Mr. Cleverley for purchase of his land for the needs of the interchange.

Commissioner Huber said thank you for the input on this topic. He noted this interchange project is in our 5-year plan, and has been for three years. He also noted that in 2015 we had a separate vote on whether or not the project should be removed from the 5-year plan and the Commission majority voted to continue to include the interchange in the 5-year plan. Commissioner Huber noted the next step in this process is that we will be adopting a new 5-year plan at our June meeting and there will be opportunity for more public input at that time.

Commissioner Boswell noted this was one of those categories he made reference to, and made a motion to make this item reconsideration for the June meeting. Commissioner Putney seconded the motion. Aye: Rose, Boswell, Putney. Nay: Yanney, Miles, Fehrman, Huber. Motion fails.