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**Commission Minutes
September 13, 2016**

IOWA TRANSPORTATION COMMISSION
Meeting Agenda / Commission Orders

September 13, 2016
 Materials Conference Room
 Ames DOT Complex
 1:30 p.m.

ITEM NUMBER	TITLE	SUBMITTED BY	PAGE
D-2017-16	*Approve Minutes of the August 9, 2016 Commission Meeting	Danielle Griggs	3
1:30 p.m.	Commission Comments DOT Comments		
MV-2017-17	* Administrative Rules: - Chapter 424 - Transporter Plates - Chapter 430 - Motor Vehicle Leasing Licenses - Chapter 451 - Emergency Vehicle Permits	Andrew Lewis	5
PPM-2017-18	* Revitalize Iowa's Sound Economy (RISE) – Sioux City	Craig Markley	7
PPM-2017-19	* Fixing America's Surface Transportation (FAST) Act - Implementation Policies	Craig Markley	11
1:45 p.m.	Public Input Adjourn		

*Action Item

On Tuesday, September 13, 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 Director's Office Order No. D-2017-16
Submitted by Danielle Griggs Phone No. 515-239-1242 Meeting Date September 13, 2016
Title Approve Minutes of the August 9, 2016 Commission Meeting

DISCUSSION/BACKGROUND:

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the minutes of the August 9, 2016 Commission meeting.

COMMISSION ACTION:

Moved by Charese Yanney Seconded by Loree Miles

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-2017-16

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

Commission Comments

Commissioner Putney would like to commend Scott Dockstader for helping me with a number of issues and being very responsive on issues that I've been confronted with from various constituents. I appreciate his efforts and proud that he is a major part of the DOT.

DOT Comments

No DOT employees presented topics for discussion.

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Office of Vehicle & Motor Carrier Services Order No. MV-2017-17
 Submitted by Andrew Lewis Phone No. 515-237-3325 Meeting Date September 13, 2016
 Title Administrative Rules – 761 IAC 424, 430, and 451

DISCUSSION/BACKGROUND:

As part of the department’s annual review and update of its administrative rules to assure the rules remain up-to-date regarding references and conformance to legal authority, policy, and departmental practice, the following changes are recommended to 761 IAC 424, Transporter Plates; 761 IAC 430, Motor Vehicle Leasing Licenses; and 761 IAC 451, Emergency Vehicle Permits.

761 IAC 424 and 430

Require only a technical update to reflect the consolidation of two offices (the Office of Vehicle Services and the Office of Motor Carrier Services) into a single office known as the Office of Vehicle & Motor Carrier Services. These changes appear in items 1 and 2 of the proposed rules.

761 IAC 451

The amendment includes the same update regarding the name of the combined office (see item 3 of the proposed rules), and also includes a more substantive change that clarifies the process for issuing a certificate of designation as an authorized emergency vehicle. Iowa Code 321.451 authorizes the department to designate a privately owned vehicle as an authorized emergency vehicle and to issue a certificate of designation for the vehicle, upon written request being made upon forms provided by the department and showing necessity for the designation. The section specifies the type of vehicles and the purposes for which they may be used. Vehicles designated as authorized emergency vehicles are permitted under 321.423 to display flashing lights when used for emergency operations, and under 321.231 to disregard certain traffic controls (parking or standing up on a highway) and laws governing the direction of traffic when responding to an emergency.

The proposed amendment, as set forth in item 4, strikes unnecessary and superfluous language that states 321.451 lists the types of vehicles eligible for the designation, and clarifies that the department may deny the application if the application does not show that the vehicle will be used as an authorized emergency vehicle, as described in 321.451, or that necessity for the designation has not been demonstrated. To assure safety and protect against abuse of the privileges associated with the certificate and the designation, item 5 clarifies that the department may deny an application or revoke designation if the applicant or certificate holder fails to comply with the applicable provisions of 321.231 or 321.451, is no longer eligible for the certificate, or otherwise abuses use of the certificate and the associated privileges. Item 5 also specifies the appeal process for an applicant or certificate holder that is denied a certificate or whose certificate is invoked or applied, providing the required right to appeal an administrative action established in Iowa Code 17A and adopted in the department’s rules at 761 IAC 13.

The public comment period ended on August 23, 2016, and the department did not receive any public comments.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the attached rule amendments.

COMMISSION ACTION:

Moved by David Rose Seconded by Loree Miles

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>	_____	_____

ITEM 1. Amend subrule 424.1(1) as follows:

424.1(1) Information. Information and blank forms relating to this chapter may be obtained from and completed forms shall be submitted to the Office of Vehicle and Motor Carrier Services, Iowa Department of Transportation, P.O. Box 9278, Des Moines, Iowa 50306-9278.

ITEM 2. Amend subrule 430.1(1) as follows:

430.1(1) Information. Information and blank forms relating to this chapter may be obtained from and completed forms shall be submitted to the Office of Vehicle and Motor Carrier Services, Iowa Department of Transportation, P.O. Box 9278, Des Moines, Iowa 50306-9278.

ITEM 3. Amend rule 761—451.1(321) as follows:

761—451.1(321) Information. Information about certificates of designation for authorized emergency vehicles is available from the office of vehicle and motor carrier services. The address of ~~the office of vehicle services~~ is: Office of Vehicle and Motor Carrier Services, Iowa Department of Transportation, P.O. Box 9278, Des Moines, Iowa 50306-9278.

This rule is intended to implement Iowa Code sections 321.2 and 321.3.

ITEM 4. Amend subrule 451.2(1) as follows:

451.2(1) Application. Application for a certificate which designates a privately owned vehicle as an authorized emergency vehicle shall be submitted to the office of vehicle and motor carrier services on a form prescribed by the department. ~~Iowa Code section 321.451 lists the types of privately owned vehicles that may be issued a certificate of designation and the requirements for designation. The department shall deny an application if the department does not establish that the vehicle will be used as an authorized emergency vehicle, as described in Iowa Code section 321.451, or that the vehicle does not otherwise demonstrate necessity for the designation.~~

ITEM 5. Adopt the following new rule 761—451.3(17A,321):

761—451.3(17A,321) Application denial or certificate revocation.

451.3(1) The department may deny an application or revoke a certificate of designation if an applicant or certificate holder fails to comply with the applicable provisions of this chapter or Iowa Code section 321.231 or 321.451, the certificate holder is no longer eligible for the certificate, or the certificate holder otherwise abuses the certification.

451.3(2) The department shall send notice by certified mail to a person whose certificate of designation is to be revoked or denied. The notice shall be mailed to the person's mailing address as shown on departmental records and the revocation or denial shall become effective 20 days from the date mailed. A person who is aggrieved by a decision of the department and who is entitled to a hearing may contest the decision in accordance with 761—Chapter 13. The request shall be submitted in writing to the director of the office of vehicle and motor carrier services. The request shall be deemed timely submitted if it is delivered or postmarked on or before the effective date specified in the notice of revocation or denial.

This rule is intended to implement Iowa Code chapter 17A and sections 321.13, 321.231 and 321.451.

MV-2017-17

Andrew Lewis, Office of Vehicle and Motor Carrier services; the Administrative rules that are being amended are Chapters 424 and 430. Chapter 424 deals with transporter and 430 deals with leasing licenses. The only changes were to update the name of the office in charge, which was to change it to the Office of Vehicle and Motor Carrier Services due to the combining of those offices.

The third chapter containing amendments is Chapter 451, pertains to emergency vehicle Permits and there were three changes there updating the office name; to clarify denial of applications for these permits; and an update of the rule to clarify and specify how the appeal process works should a permit be denied or revoked.

The department did not receive any public comments when the rules were posted, nor did we receive any comments from the Administrative Rules Committee.

It is recommended the Commission approve the rules as amended.

Commissioner Rose made a motion to approve. Commissioner Miles seconded the motion. Motion passes unanimously.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division
Office of Systems Planning Order No. PPM-2017-18
 Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date September 13, 2016
 Title Revitalize Iowa's Sound Economy (RISE) Application – Sioux City

DISCUSSION/BACKGROUND:

Previously, the Commission approved the city of Sioux City's RISE Immediate Opportunity application requesting a grant to assist in various improvements to Singing Hills Boulevard, Harbor Drive, Bridgeport Drive, South Patton Street, Murray Street, Boulevard of Champions, Expedition Court, Discovery Boulevard, Aviation Boulevard, and some ramp terminals on Interstate 29, all located on the southwest side of town.

The city of Sioux City is now requesting to revise the costs of the grant to add additional improvements to the intersection of Harbor Drive and Murray Street. This project is anticipated to be completed by September 2017.

These improvements are necessary to provide improved access in the area supporting the proposed site of Seaboard Triumph Foods Inc., an integrated food company producing premium pork products for both domestic and international markets. This company conforms to the legislative requirements of the RISE program.

These improvements will support:

- The creation of 447 new full-time jobs, which is an increase of 44 full-time jobs.
- \$289,762,490 in associated capital investment, which is an increase of \$18 million.

The RISE cost per job assisted will be \$11,992.46 and there will be a total capital investment of \$54.05 for each RISE dollar requested.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the modification of the previously awarded RISE grant to include the additional costs and award a revised RISE grant of \$5,360,630, an increase of \$529,630, 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	Pass
			Boswell	<u>x</u>	_____	_____
			Fehrman	<u>x</u>	_____	_____
			Huber	<u>x</u>	_____	_____
Moved by	<u>Loree Miles</u>	Seconded by	Miles	<u>x</u>	_____	_____
			Putney	<u>x</u>	_____	_____
			Rose	<u>x</u>	_____	_____
			Yanney	<u>x</u>	_____	_____
_____	_____	_____				
Division Director	Legal	State Director				

**RISE Immediate Opportunity Funding
Economic Analysis Summary**

GENERAL INFORMATION

Applicant: Sioux City

Project Location and Description: Previously, the Commission approved the city of Sioux City's RISE Immediate Opportunity application requesting a grant to assist in various improvements to Singing Hills Boulevard, Harbor Drive, Bridgeport Drive, South Patton Street, Murray Street, Boulevard of Champions, Expedition Court, Discovery Boulevard, Aviation Boulevard, and some ramp terminals on Interstate 29 - all located on the southwest side of town. The city of Sioux City is now requesting to revise the costs of the grant to add additional improvements to the intersection of Harbor Drive and Murray Street.

Associated Economic Development: The project provides improved access in the area supporting the proposed site of Seaboard Triumph Foods Inc., an integrated food company producing premium pork products for both domestic and international markets.

ECONOMIC IMPACT

Total Roadway Project Cost: \$6,700,788

RISE Funds Requested: \$5,360,630; **Grant:** \$5,360,630; **Loan \$----**

Effective Project Cost to RISE Program: \$5,360,630

Local Participation: \$1,340,158; **Sources:** Sioux City

Non-RISE Total Capital Investment: \$289,762,490

(**Public:** \$389,000; **Private:** \$289,373,490)

Direct Jobs Created: 447; (**Other, Potential Future Jobs:** 1,563)

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

Number of Existing Jobs: 0

Project Average Wage Rate of New Jobs: \$23.22/hr.

100% Average Laborshed Wage Rate: \$17.22/hr.

KEY RATIOS

Local Match Ratio: 20% (\$1,340,158/\$6,700,788)

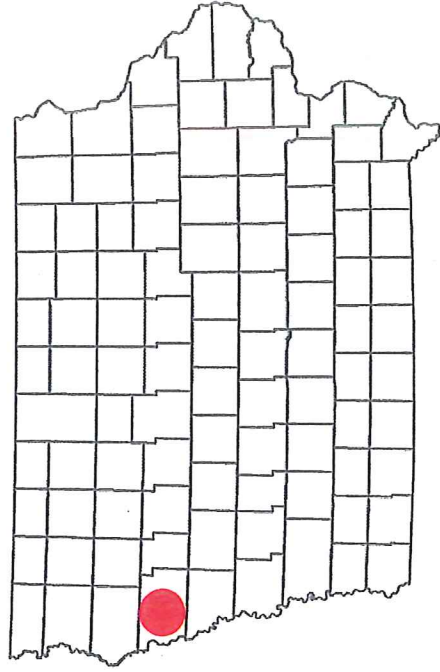
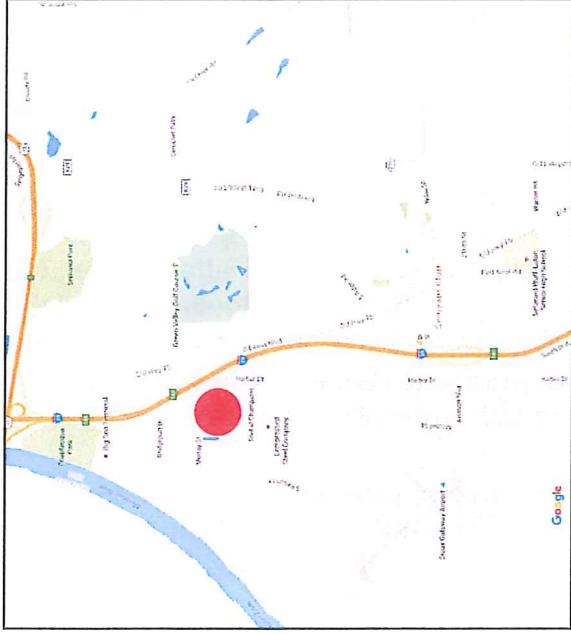
RISE Cost Per Job Assisted (Created): \$5,360,630/447 = \$11,992.46

Total Capital Investment Per RISE Dollar: \$289,762,490/\$5,360,630= \$54.05

CONCLUSIONS

Narrative: It is recommended the Commission approve the modification of the previously awarded RISE grant to include the additional costs and award a revised RISE grant of \$5,360,630, an increase of \$529,630, or up to 80 percent of the total RISE-eligible project cost, whichever is less, from the city share of the RISE Fund.

Sioux City



PPM-2017-18

Craig Markley, Office of Systems Planning; We have one RISE project from Sioux City for your review this afternoon. There is a delegation present if you have any questions following my presentation of background information.

Sioux City submitted a RISE Immediate Opportunity application requesting a grant to assist in various improvements to Singing Hills Boulevard, Harbor Drive, Bridgeport Drive, South Patton Street, Murray Street, Boulevard of Champions, Expedition Court, Discovery Boulevard, Aviation Boulevard, and some ramp terminals on Interstate 29 - all located on the southwest side of town. A revision to the costs of the grant was requested to add additional improvements to the intersection of Harbor Drive and Murray Street.

The proposed improvements will result in the creation of 447 full-time jobs, which is an increase of 44 full-time jobs along with \$289,762,490 in associated capital investment, which is an increase of \$18 million.

Average wage of the created positions is \$23.22 per hour which is 135 percent of the average laborshed wage rate.

RISE grant recommended is \$5,360,630, an increase of \$529,630

Local participation is 20% or \$1,340,158, an increase of \$132,408

Total cost is \$6,700,788, an increase of \$662,038

The RISE cost per job assisted is \$11,992.46 Total Capital Investment per RISE dollar is \$54.05

Before I proceed to staff's recommendation, I would like to check if you have any questions for the delegation.

It is recommended the Commission approve the modification of the previously awarded RISE grant to include the additional costs and award a revised RISE grant of \$5,360,630, an increase of \$529,630, or up to 80 percent of the total RISE-eligible project cost, whichever is less, from the city share of the RISE Fund.

Chris Myres - Economic Development Specialist - In-person

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

Commission Huber would like to mention in the time I've been on the Commission I have been impressed with the number of projects that Sioux City is producing. There is a lot of great industrial development happening in that part of our state. Congratulations to Sioux City.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division
Office of Systems Planning Order No. PPM-2017-19
Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date September 13, 2016
Title Fixing America's Surface Transportation (FAST) Act Implementation Policies

DISCUSSION/BACKGROUND:

Policies to implement the FAST Act have been developed after extensive stakeholder outreach and input. The attached document describes those policies.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the attached FAST Act implementation policies.

COMMISSION ACTION:

Moved by David Rose Seconded by Loree Miles

Division Director Legal State Director

	Aye	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>	_____	_____

Fixing America's Surface Transportation (FAST) Act Implementation Policies
Iowa Transportation Commission Business Meeting
September 13, 2016

Highway-Railway Grade Crossing Program funding

- The fiscal year 2016 appropriation for the federal Highway-Railroad Crossing Safety Program resulted in an additional \$2.9 million that will be used for warning devices and grade crossing safety projects.

Freight funding

- Allocate the 10 percent maximum of Iowa's annual apportionment of National Highway Freight Program funding for freight intermodal or freight rail projects. This funding to be administered through an annual application process similar to the Linking Iowa's Freight Transportation System Program.

Transportation Alternative Program (TAP) (Note: This is now officially called Surface Transportation Block Grant (STBG) Program set-aside but for purposes of this document will continue to be referred to as TAP)

- The federal Recreational Trails Program set-aside will be utilized for annual applications administered by the Office of Systems Planning.
- TAP funding allocated by population will be utilized on TAP-eligible projects prioritized by metropolitan planning organizations (MPOs) and regional planning affiliations (RPAs). Population distributions will be used to ensure equity across the state.
- Of the TAP funding available for any area of the state, \$1 million will be retained for discretionary programming by the Iowa Transportation Commission for statewide projects. This funding is also available to provide up to 30 percent funding of MPO and RPA TAP supported (they provide 50 percent) Byways program and/or Safe Routes to School related projects.
- The remaining TAP funding available for any area of the state will be targeted to the MPOs and RPAs to program on eligible TAP, highway, bridge, and/or transit projects. This funding will be targeted based on each MPOs/RPAs share of total statewide population.

Surface Transportation Block Grant (STBG) Program

- The STBG Program funding available to any area of the state will be allocated as follows,
 - Eight percent for the department to, among other things, support local initiatives such as asset management implementation through collection of pavement condition data, administration of bridge inspection training and funding the Statewide Urban Design and Specifications program.
 - Ninety-two percent for MPOs, RPAs and city and county bridge programs.
- Unlike previous authorization bills, the FAST Act includes a gradual shift of STBG Program funding from the amount available to any area of the state to the amount allocated based on population. This results in different growth rates of funding allocated for RPAs/MPOs compared with the amount allocated for local bridges. Therefore, from the STBG Program allocation available to any area of the state, the amount allocated to RPAs/MPOs and the amount allocated for local bridges will vary by year to assure equal percent growth in overall allocations for the two categories. For federal fiscal year 2015, the distribution of the non-DOT allocation of STBG Program funding available to any area of the state is 74 percent for local bridges and 26 percent for RPAs/MPOs. Beginning in FFY 2016 and beyond, those percentage allocations will be modified to provide equal percent growth in overall funding to RPAs/MPOs and local bridges.
- STBG Program funds are allocated to three categories: 1) Transportation Management Areas (TMAs) – MPOs with more than 200,000 population; 2) MPOs with population less than 200,000; and 3) RPAs. Each category is allocated STBG Program funding based on each category's share of total statewide population.

- Within the RPA category of STBG program funding, 50 percent of STBG Program funds are allocated based on each RPA's share of total statewide RPA population and 50 percent based on each RPA's share of farm-to-market distribution factors.
- Within the TMA category, each TMA is allocated STBG Program funds based on their share of total statewide TMA population.
- Within the MPOs with less than 200,000 population category, each MPO is allocated STBG Program funds based on their share of total statewide non-TMA MPO population.

Congestion Mitigation and Air Quality Improvement Program (CMAQ)

- Allocate \$3 million of CMAQ funding for transit bus replacement administered by the Iowa Department of Transportation's Office of Public Transit.
- Allocate \$4 million of CMAQ funding for Iowa's Clean Air Attainment Program to be administered by the Iowa DOT's Office of Systems Planning.
- Remaining CMAQ funds are allocated to the department for eligible CMAQ activities to be programmed by the Iowa Transportation Commission.

Highway Safety Improvement Program

- Allocate \$2 million per year for a Highway Safety Improvement Program – Secondary Program to be administered by the Iowa DOT's Office of Traffic and Safety.

PPM-2017-19

Craig Markley, Office of Systems Planning; with several months of extensive working discussion and stakeholder outreach and input, policies to implement the FAST Act have been developed.

We recommend the Commission approve the policies as shown on the Commission Order attachment.

Commissioner Chair Huber states before I ask for a motion to approve, I just want to reiterate this has been something we have been working on for a number of months. This is just the official action on this particular item.

Commissioner Rose made a motion to approve. Commissioner Miles seconded the motion. Motion passes unanimously.