

IOWA DEPARTMENT OF TRANSPORTATION

AGENDA ITEMS/COMMISSION ORDERS

Tuesday, May 12, 2015
 Materials Conference Room
 Ames DOT Complex

ITEM NUMBER	TITLE	SUBMITTED BY	PAGE
D-2015-58 10:30 a.m.	*Election of Commission Officers	David Rose	1
D-2015-59 .	*Approve Minutes of the April 14, 2015, Commission Meeting in Davenport Commission Comments Staff Comments	Connie Page	2
MV-2015-60	*Administrative Rules – 761 IAC 520, Regulations Applicable to Carriers	Mark Lowe	3
H-2015-61	*Transfer of Jurisdiction Frontage Road Segments along U.S. 65/69 in Indianola	James Armstrong	6
PPM-2015-62	Draft 2016-2020 Iowa Transportation Improvement Program	Stuart Anderson	8
PPM-2015-63 10:45 a.m.	*Revitalize Iowa’s Sound Economy (RISE) Application – Wilton (Delegation)	Craig Markley	9
PPM-2015-64 10:55 a.m.	*Revitalize Iowa’s Sound Economy (RISE) Application – Carroll County (Delegation) Adjourn	Craig Markley	12

*Action Item

The Commission and staff will meet informally on **Monday, May 11, at 3:30 p.m.** and **Tuesday, May 12, at 8:30 a.m.** in the Materials conference room at the Ames DOT complex. Transportation-related matters will be discussed but no action will be taken.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Commission Order No. D-2015-58
 Submitted by David Rose Phone No. 515-239-1242 Meeting Date May 12, 2015
 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 Leonard Boswell be elected chairperson and Dan Huber be elected vice chairperson for the period beginning May 1, 2015, and ending April 30, 2016.

COMMISSION ACTION:

Moved by Yanney Seconded by Reasner

	Aye	Vote Nay	Pass
Boswell	<u>X</u>	_____	_____
Huber	<u>X</u>	_____	_____
Miles	<u>X</u>	_____	_____
Putney	<u>X</u>	_____	_____
Reasner	<u>X</u>	_____	_____
Rose	<u>X</u>	_____	_____
Yanney	<u>X</u>	_____	_____

 Division Director Legal State Director

D-2015-58

Commissioner Putney commended Commissioner Rose for his time, effort, dedication, conscientiousness, and communication during his term as Chairman.

Commissioner Rose said it has been an exciting year; we've accomplished a lot in moving Iowa forward.

Commissioner Yanney said she appreciates people taking the time to serve not only the state of Iowa but the Commission in the Chair and Vice Chair positions. It is an interesting time as she believes the state of Iowa is on the cutting edge of a lot of issues concerning transportation. She nominated Leonard Boswell as Chair and Dan Huber as Vice Chair. Commissioner Reasner seconded the motion. Commissioner Miles moved and Commissioner Reasner seconded that nominations cease. All voted aye.

Commission Chair Boswell said we have big challenges but we have one of the finest Departments in the country and he thought the people in Washington, D.C. understand that. He said he is a little concern in their decision making that they consider the entire United States and not just the bigger population centers on the east and west coasts. It's important to maintain our status. Commission Chair Boswell presented Commissioner Rose a gavel in recognition of his work as chair and his enthusiasm for transportation.

Commissioner Huber said he has known Commission Rose since about 1995 and has observed him to be a passionate advocate for Iowa's transportation system. He is well informed, has tremendous energy, and has done a lot for our Commission. He also looks forward to Commission Chair Boswell's leadership and the opportunity to serve alongside him.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office MVD – Office of Motor Vehicle Enforcement Order No. MV-2015-60
Submitted by Mark Lowe Phone No. 237-3121 Meeting Date May 13, 2015
Title Administrative Rules – 761 IAC 520, Regulations Applicable to Carriers

DISCUSSION/BACKGROUND:

The proposed administrative rule amendments revises 761 IAC 520, Regulations Applicable to Carriers:

- 761 IAC 520.1(1)(a) and (b).
- 761 IAC 520.2(321).
- 761 IAC 520.3(1)(c).
- 761 IAC 520.4(1).
- 761 IAC 520.7.

The rule amendments are necessary for the department to adopt the revised 2014 U.S. Code of Federal Regulations (October 2014) containing the Federal Motor Carrier Safety Regulations (FMCSR) and the Hazardous Material Regulations (HMR), specifically 49 CFR Parts 385, 390-399, 107, 171-173, 177-178, and 180. These rules are intended to implement Iowa Code 321.449 and 321.450 which specify that a person shall not operate a commercial motor vehicle on the highways of this state except in compliance with rules adopted by the department under Iowa Code Chapter 17A. The rules must be consistent with FMCSR and HMR.

Additionally, revisions listed below were made to conform with changes to Iowa law and federal regulation.

- 761 IAC 520.2(321): Removes the definition of “gasoline” as this wording is no longer included in Iowa Code 321.450.
- 761 IAC 520.8(321): Removes the hours of service exception for agricultural operations. The Moving Ahead for Progress in the 21st Century (Map-21) federal legislation initiated a less stringent hours of service exception for agricultural operations, which the department adopted via this rule making process. The rule was changed to identify Iowa’s planting and harvesting seasonal periods to implement the requirements of 49 CFR 395.1(k), which is the new agricultural operations hours of service exception.

The public comment period ended on April 21, 2015, and no comments or requests for oral presentations were received.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the attached rule amendments.

COMMISSION ACTION:					
Moved by _____	Seconded by _____				
_____	_____	_____	_____	_____	_____
Division Director	Legal	State Director	Boswell	Aye	Vote
			Huber	Nay	Pass
			Miles		
			Putney		
			Reasner		
			Rose		
			Yanney		

MV-2015-60

On behalf of Mark Lowe, Motor Vehicle Division, Stuart Anderson, Planning, Programming and Modal Division, briefly reviewed proposed amendments to Chapter 520, Regulations Applicable to Carriers. These proposed amendments are necessary to adopt a new U.S. Code of Federal Regulations and to adopt changes to the Code of Iowa. The proposed amendments are summarized in the Commission order. The public comment period ended April 21, and no comments or requests for oral presentations were received. He requested Commission approval of the rules.

Commissioner Putney moved, Commissioner Yanney seconded the Commission approve the attached rule amendments. All voted aye.

ITEM 1. Amend paragraph **520.1(1)“a”** as follows:

a. Motor carrier safety regulations. The Iowa department of transportation adopts the Federal Motor Carrier Safety Regulations, 49 CFR Parts 385 and 390-399 (October 1, ~~2012~~ 2014).

ITEM 2. Amend paragraph **520.1(1)“b”** as follows:

b. Hazardous materials regulations. The Iowa department of transportation adopts the Federal Hazardous Materials Regulations, 49 CFR Parts 107, 171-173, 177, 178, and 180 (October 1, ~~2012~~ 2014).

ITEM 3. Rescind the definition of “Gasoline” in rule **761—520.2(321)**.

ITEM 4. Amend rule **761—520.2(321)**, definitions of “Farm customer” and “Rules adopted under this section concerning physical and medical qualifications,” as follows:

“*Farm customer*” as used in Iowa Code section 321.450(~~3~~), ~~unnumbered paragraph 3~~, means a retail consumer residing on a farm or in a rural area or city with a population of 3000 or less.

“*Rules adopted under this section concerning physical and medical qualifications*” as used in Iowa Code ~~section~~ sections 321.449(5) and ~~Iowa Code section~~ 321.450(~~2~~), ~~unnumbered paragraph 2~~, means the regulations in 49 CFR 391.11(b)(4) and 49 CFR Part 391, Subpart E.

ITEM 5. Amend paragraph **520.3(1)“c”** as follows:

c. Unregistered farm trailers as defined in ~~761—subrule 400.1(3)~~ rule 761—400.1(321), pursuant to Iowa Code section 321.123.

ITEM 6. Amend subrule 520.4(1) as follows:

520.4(1) Pursuant to Iowa Code section 321.450(3), ~~unnumbered paragraph 3~~, “retail dealers of fertilizers, petroleum products, and pesticides and their employees while delivering fertilizers, petroleum products, and pesticides to farm customers within a ~~100-air-mile~~ one-hundred-mile radius of their retail place of business” are exempt from 49 CFR 177.804; and, pursuant to Iowa Code section 321.449(4), they are exempt from 49 CFR Parts 391 and 395. However, pursuant to Iowa Code section 321.449, the retail dealers and their employees under the specified conditions are subject to the regulations in 49 CFR Parts 390, 392, 393, 396 and 397.

ITEM 7. Amend rule 761—520.7(321), introductory paragraph, as follows:

761—520.7(321) Driver’s statement. A “driver” as used in Iowa Code ~~section~~ sections 321.449(5) and ~~Iowa Code section 321.450(2), unnumbered paragraph 2,~~ shall carry at all times a notarized statement of employment. The statement shall include the following:

ITEM 8. Rescind rule 761—520.8(321) and adopt the following **new** rule in lieu thereof:

761—520.8(321) Planting and harvesting periods. In accordance with the provisions of 49 CFR 395.1, the planting and harvesting periods pertaining to agricultural operations are March 15 through June 30 and October 4 through December 14.

This rule is intended to implement Iowa Code sections 321.449 and 321.450.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Highway Division Order No. H-2015-61
Submitted by John Adam Phone No. 515-239-1124 Meeting Date May 12, 2015
Title Transfer of Jurisdiction Frontage Road Segments along U.S. 65/69 in Indianola

DISCUSSION/BACKGROUND:

District 5 has negotiated the transfer of jurisdiction of four frontage road segments along U.S. 65/69 to the city of Indianola. The transfer segments lie within the corporation limits of Indianola between East Orchard Avenue and East Hillcrest Street (east side of U.S. 65/69); between West Hillcrest Avenue and Hayes Street (west side of U.S. 65/69); between East Scenic Valley Avenue and Hayes Street (east side of U.S. 65/69); and between East Scenic Valley Avenue and Hayes Street (east side of U.S. 65/69), a total length of approximately 0.57 mile.

The city and state have examined the physical condition of the frontage road segments proposed for transfer and have agreed that the segments will be transferred in their present condition.

The proposed transfer to the city will take place upon the execution of the Transfer of Jurisdiction Agreement by both the city and the state and upon written notification by the state to the city of the time and date of official transfer.

The state will prepare and forward a quitclaim deed to the city for the proposed frontage road transfer segments.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve the transfer of jurisdiction for the frontage road segments along U.S. 65/69 as described above to the city of Indianola.

COMMISSION ACTION:

Moved by _____ Seconded by _____

	Aye	Vote Nay	Pass
Boswell	_____	_____	_____
Huber	_____	_____	_____
Miles	_____	_____	_____
Putney	_____	_____	_____
Reasner	_____	_____	_____
Rose	_____	_____	_____
Yanney	_____	_____	_____

Division Director Legal State Director

H-2015-61

James Armstrong, District 5 Engineer, said District 5 staff has successfully negotiated with the city of Indianola a transfer of jurisdiction for four frontage road segments along U.S. 65/69. He recommended the Commission approve that transfer of jurisdiction at no cost to the Iowa DOT.

Commissioner Miles noted the Commission had an extensive workshop discussion about this item as well as all the items on the agenda.

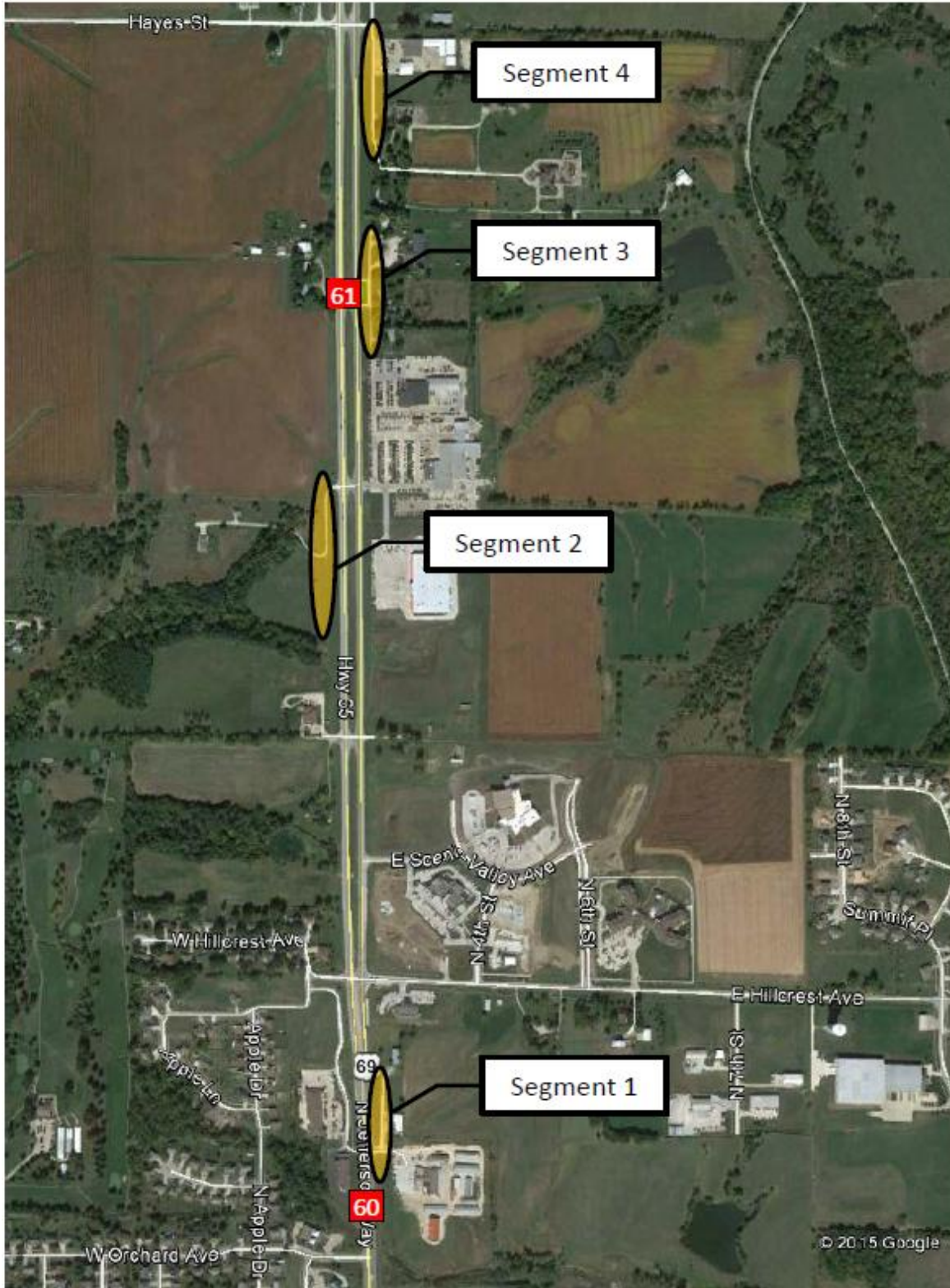
Commissioner Huber moved, Commissioner Miles seconded the Commission approve the transfer of jurisdiction for the frontage road segments along U.S. 65/69 as described to the city of Indianola. All voted aye.

EXHIBIT A

**Transfer of Jurisdiction
Location**

Indianola, Warren County

Four frontage road segments along U.S. 65/69 that lie within the corporation limits of Indianola between East Orchard Avenue and East Hillcrest Street (east side of U.S. 65/69); between West Hillcrest Avenue and Hayes Street (west side of U.S. 65/69); between East Scenic Valley Avenue and Hayes Street (east side of U.S. 65/69); and between East Scenic Valley Avenue and Hayes Street (east side of U.S. 65/69), a total length of approximately 0.57 mile.



DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Planning, Programming and Modal Division
Division/Bureau/Office Office of Program Management Order No. PPM-2015-62
Submitted by Stuart Anderson Phone No. 515-239-1661 Meeting Date May 12, 2015
Title Draft 2016-2020 Iowa Transportation Improvement Program

DISCUSSION/BACKGROUND:

The draft 2016-2020 Iowa Transportation Improvement Program will be reviewed.

PROPOSAL/ACTION RECOMMENDATION:

For information only.

COMMISSION ACTION:

Moved by _____ Seconded by _____

	Aye	Vote Nay	Pass
Boswell	_____	_____	_____
Huber	_____	_____	_____
Miles	_____	_____	_____
Putney	_____	_____	_____
Reasner	_____	_____	_____
Rose	_____	_____	_____
Yanney	_____	_____	_____

Division Director Legal State Director

PPM-2015-62

Stuart Anderson, Planning, Programming and Modal Division, said this item is for information only today. The draft 2016 to 2020 Iowa Transportation Improvement Program has been published. It is available by printed copies as well as electronically on the Iowa DOT website. A press release will go out immediately following this meeting with a link to that website where the public can look at the draft document that is a culmination of several months of work to summarize not only investments on the primary road system but investments on Iowa's multi-model transportation system (aviation, public transit, rail, etc.). On the highway side the draft program includes investments of approximately \$3.2 billion in state and federal funds on the Primary Road system over the next five years. Approximately \$500 million of that is a direct result of the transportation funding bill the legislature passed this session and Governor Branstad signed into law at the end of February. As required by that legislation, the draft program includes a section dedicated to listing the critical transportation projects the Commission has identified for inclusion in the draft program to address critical transportation needs on the Primary Road system.

As mentioned, this document is available for public comment. Any public comments will be reviewed with the Commission, and staff will bring a final program for the Commission's consideration at the June business meeting.

Commissioner Reasner noted this involved many, many months of work by staff and the Commission appreciates the process staff used to help us get to this point.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Planning, Programming and Modal Division

Division/Bureau/Office Office of Systems Planning Order No. PPM-2015-63

Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date May 12, 2015

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

DISCUSSION/BACKGROUND:

The city of Wilton submitted a RISE Immediate Opportunity application requesting a grant to assist in the improvement of approximately 1,490 feet of 100th Street and the addition of a right-turn lane on U.S. 6 located on the northwest side of town. This project is anticipated to be completed by December 2015.

Because this project will provide improved access to more than 56 acres for manufacturing and distribution purposes and to maximize RISE support for this project, staff evaluated the application as a RISE Local Development project.

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, reclassify the project as a RISE Local Development project in the February 2015 round of applications and award a RISE grant of \$387,138 or up to 50 percent of the total RISE-eligible project cost, whichever is less, from the city share of the RISE Fund.

COMMISSION ACTION:

Moved by _____ Seconded by _____

	Aye	Vote Nay	Pass
Boswell	_____	_____	_____
Huber	_____	_____	_____
Miles	_____	_____	_____
Putney	_____	_____	_____
Reasner	_____	_____	_____
Rose	_____	_____	_____
Yanney	_____	_____	_____

Division Director Legal State Director

PPM-2015-63

Craig Markley, Office of Systems Planning, said the city of Wilton submitted a RISE immediate opportunity funding request to assist in the improvement of approximately 1,490 ft. of 100th Street and the addition of a right-turn lane on U.S. 6 located on the northwest side of town. Because this project will provide improved access to more than 56 acres for manufacturing and distribution purposes and to maximize RISE support for this project, staff evaluated the application as a RISE local development project. Under RISE local development criteria, the project scored 66 points. Total estimated project cost is \$774,275. The city is requesting a RISE grant of \$387,138 and will provide a 50 percent local match. He introduced Chris Ball, Wilton City Administrator.

Mr. Ball said the city of Wilton built a new industrial park, and the RISE application is for a commercial ag facility that will produce laying hens. With the recent avian flu outbreak, the city met with the company last week and they wished this facility was already up and running so there is pressure to get this done as quickly and efficiently as possible. The city is comfortable that they are a reputable agricultural company and looks forward to working with them. They stated on the application that they are going to have 48 jobs but Mr. Ball said in the meeting last week, they indicated they are thinking about ramping that up and possibly expanding it to 64 jobs because of the recent events in the poultry community.

Commission Chair Boswell said the Commission had a good discussion about it yesterday and it looks like it is something that is going to be beneficial to the community and state.

Mr. Markley reviewed staff's recommendation.

Commissioner Reasner moved, Commissioner Yanney 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 2015 round of applications and award a RISE grant of \$387,138 or up to 50 percent of the total RISE-eligible project cost, whichever is less, from the city share of the RISE fund. All voted aye.

RISE LOCAL DEVELOPMENT FUNDING
February 2015
SUMMARY

Applicant: City of Wilton

Multiyear?: No
Multijurisdiction?: No

ROAD PROJECT LOCATION AND DESCRIPTION: To improve approximately 1,490 feet of 100th Street and add a right-turn lane on U.S. 6 located on the northwest side of town.

ASSOCIATED ECONOMIC DEVELOPMENT: This project will provide improved access to more than 56 acres for manufacturing and distribution purposes.

PROJECT FINANCING:

Roadway Project Cost:	\$774,275	Local Match (Total):	\$387,137
RISE (Total):	\$387,138	Up-Front:	\$387,137
Grant:	\$387,138	NPV of Loan Repayment:	0
Loan:	0	Effective Match Percent:	50
Loan Terms:			
Yrs.	0	Up-front Participation Sources:	
Int.:	0 %	Private:	
		Public:	\$387,137
		Local Match (Total):	\$387,137

PROJECT EVALUATION:

Development Potential (35):	30
Economic Impact and Cost Effect. (20):	14
Local Commit. and Initiative (35):	16
Transportation Need (4):	3
Local Economic Need (6):	3

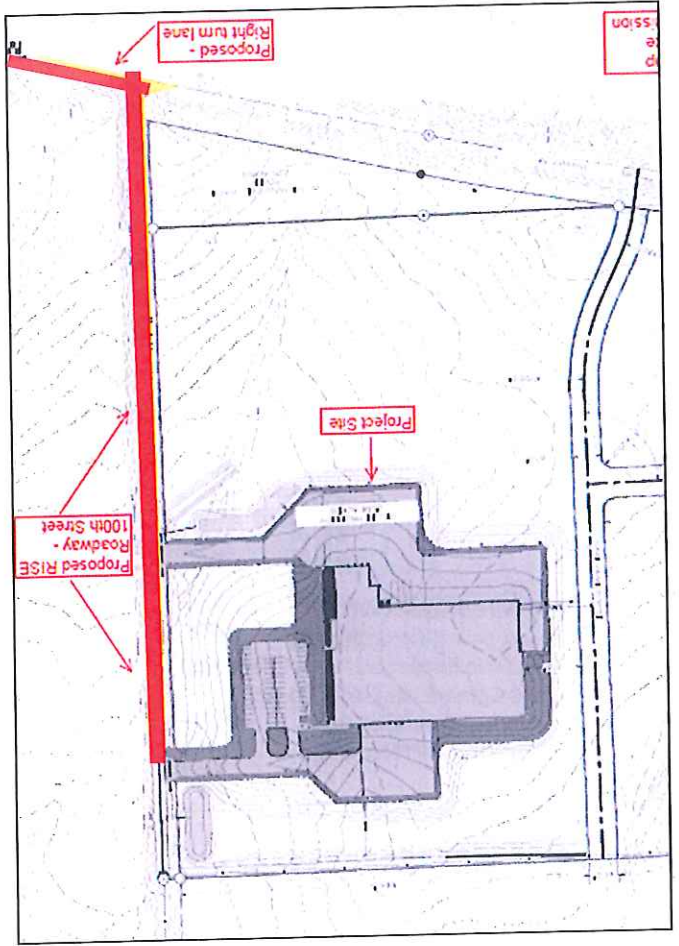
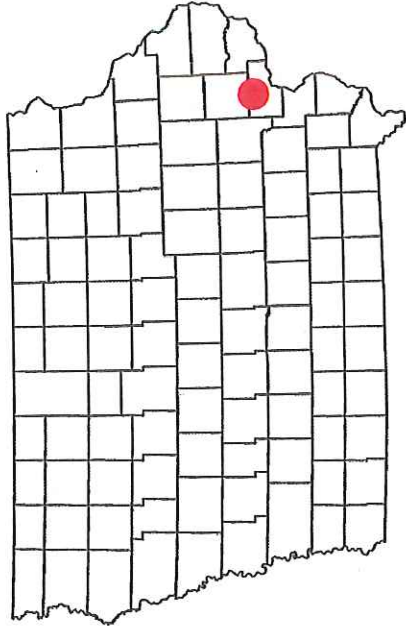
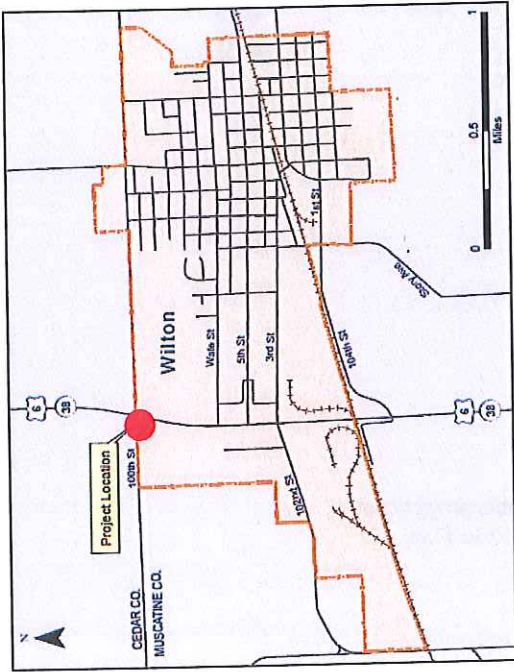
Total Rating: 66

Jobs: 48

STAFF RECOMMENDATION:

Award a grant of \$387,138 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.

Wilton



DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Planning, Programming and Modal Division

Division/Bureau/Office Office of Systems Planning Order No. PPM-2015-64

Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date May 12, 2015

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

DISCUSSION/BACKGROUND:

Carroll County submitted a RISE Immediate Opportunity application requesting a grant to assist in the improvement of approximately 3,500 feet of 210th Street located northwest of Ralston in Carroll County. This project is anticipated to be completed by October 2015.

Because this project will provide improved access to approximately 25 acres for industrial purposes and to maximize RISE support for this project, staff evaluated the application as a RISE Local Development project.

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, reclassify the project as a RISE Local Development project in the February 2015 round of applications and award a RISE grant of \$163,800 or up to 50 percent of the total RISE-eligible project cost, whichever is less, from the county share of the RISE Fund.

COMMISSION ACTION:

Moved by _____ Seconded by _____

	Aye	Vote Nay	Pass
Boswell	_____	_____	_____
Huber	_____	_____	_____
Miles	_____	_____	_____
Putney	_____	_____	_____
Reasner	_____	_____	_____
Rose	_____	_____	_____
Yanney	_____	_____	_____

Division
Director

Legal

State Director

PPM-2015-64

Craig Markley, Office of Systems Planning, said Carroll County submitted a RISE immediate opportunity funding request to assist in the improvement of approximately 3,500 feet of 210th Street located northwest of Ralston in Carroll County. Because this project will provide improved access to approximately 25 acres for industrial purposes and to maximize RISE support for the project, staff evaluated the application as a RISE local development project. Under RISE local development criteria, the project scored 65 points. Total estimated project cost is \$327,600. The county is requesting a RISE grant of \$163,800 and will provide a 50 percent local match. He introduced Marty Danzer, Chair, Carroll County Board of Supervisors.

Mr. Danzer said agriculture is a vital part of Carroll County and this is a great partnership with West Central, a soy processing plant that is expanding. He introduced the delegation members.

Alicia Clancy, Director of Communications, West Central, said West Central is a farmer-owned cooperative; owned by about 3,500 partner members in 12 counties in western Iowa. They are the 41st largest cooperative owned by farmers in the U.S. and the 16th largest grain company in the country. West Central is an innovative company. One product for the last 30 years is a soybean meal marketed under the brand name SoyPLUS. This product is shipped nationally and internationally.

The plant expansion would increase their current capacity by about 50 percent and add 11.5 jobs. It is a significant investment (about \$30 million) for a farmer-owned cooperative. They would also be significantly increasing their truck traffic at the location for outbound SoyPLUS as well as inbound soybeans. Ms. Clancy noted they would use the equivalent of about two entire counties' worth of soybeans with the successful expansion of this facility so they are excited about the initial market demand and having improved farm-to-market roads in their area.

Mr. Markley reviewed staff's recommendation.

Commissioner Yanney moved, Commissioner Miles 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 2015 round of applications and award a RISE grant of 163,800 or up to 50 percent of the total RISE-eligible project cost, whichever is less, from the county share of the RISE fund. All voted aye.

RISE LOCAL DEVELOPMENT FUNDING
February 2015
SUMMARY

Applicant: Carroll County

Multiyear?: No
Multijurisdiction?: No

ROAD PROJECT LOCATION AND DESCRIPTION: To improve approximately 3,500 feet of 210th Street located northwest of Ralston in Carroll County.

ASSOCIATED ECONOMIC DEVELOPMENT: This project will provide improved access to approximately 25 acres for industrial development.

PROJECT FINANCING:

Roadway Project Cost:	\$327,600	Local Match (Total):	\$163,800
RISE (Total):	\$163,800	Up-Front:	\$163,800
Grant:	\$163,800	NPV of Loan Repayment:	0
Loan:	0	Effective Match Percent:	50
Loan Terms:	Yrs. 0	Up-front Participation Sources:	
	Int.: 0 %	Private:	
		Public:	\$163,800
		Local Match (Total):	\$163,800

PROJECT EVALUATION:

Development Potential (35):	30
Economic Impact and Cost Effect. (20):	14
Local Commit. and Initiative (35):	16
Transportation Need (4):	3
Local Economic Need (6):	2

Total Rating: 65

Jobs: 13

STAFF RECOMMENDATION:

Award a grant of \$163,800 or up to 50 percent of the RISE-eligible project cost, whichever is less. Funding will come from the county share of the RISE Fund.

Carroll County

