Commission Minutes
August 12, 2019
<table>
<thead>
<tr>
<th>ITEM NUMBER</th>
<th>TITLE</th>
<th>SUBMITTED BY</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>11:20 a.m.</td>
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<tr>
<td>D-2020-8</td>
<td>* Approve Minutes of the July 9, 2019</td>
<td>Danielle Madden</td>
<td>5</td>
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<td></td>
<td>Commission Meeting</td>
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<td></td>
<td>Commission Comments</td>
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<td>DOT Comments</td>
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<tr>
<td>IT-2020-9</td>
<td>* Administrative Rules – 761 IAC 4</td>
<td>Stuart Anderson</td>
<td></td>
</tr>
<tr>
<td>PPM-2020-10</td>
<td>* Fiscal Year 2020 State Aviation Program</td>
<td>Shane Wright</td>
<td></td>
</tr>
<tr>
<td>PPM-2020-11</td>
<td>* Revitalize Iowa’s Sound Economy (RISE) –</td>
<td>Craig Markley</td>
<td></td>
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<tr>
<td></td>
<td>Des Moines</td>
<td></td>
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<tr>
<td>11:30 a.m.</td>
<td>Adjourn</td>
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</table>

*Action Item*

On Monday, July 9, the Commission and staff will meet informally at 3:30 p.m. in Room F at the Mid-America Center, 1 Arena Way, Council Bluffs, IA. Transportation-related matters will be discussed but no action will be taken.
DISCUSSION/BACKGROUND:

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the minutes of the July 9, 2019 Commission meeting.

COMMISSION ACTION:

Moved by John Putney Seconded by Kathy Fehrman

Arnold Fehrman  Fehrman  Juckette
x                x                absent
Maher  Putney  Rielly  Yanney
x                x                x                x
Commissioner Putney made a motion to approve the minutes as written. Commissioner Fehrman seconded the motion. Commissioner Juckette, absent. Motion passed unanimously.

Commission Comments

DOT Comments

Director Lowe; Thank you. First, I did want to mention, Commissioner Juckette is traveling this morning and she was not able to join us for the workshop but was going to try to phone in to the meeting. I’d like to thank all of you for accommodating the change in the schedule, MAASTO (Mid America Association of State Transportation Officials) meeting in Indianapolis is starting this afternoon, a number of us have to travel to Indianapolis for that. Thanks for changing the schedule to this morning and accommodating, we appreciate your flexibility on that.
Department of Transportation
Commission Order

Division/Bureau/Office: Information Technology Division
Order No.: IT-2020-9

Submitted by: Stuart Anderson
Phone No.: 515-239-1661
Meeting Date: August 12, 2019

Title: Administrative Rules — 761 IAC 4, Public Records and Fair Information Practices

Discussion/Background:

The proposed rule making amends Chapter 4 to:
- Rescind subrules 4.4(3) and 4.9(23) because the subrules are no longer necessary.
- Conform subrule 4.9(15) to current language in Iowa Code sections 80G.2 and 80G.3.

A complete summary explaining the proposed amendments is included in the attached Notice of Intended Action.

The public comment period ended June 25. The department did not receive any public comments or requests for oral presentations.

Proposal/Action Recommendation:

It is recommended that the Commission approve the rule amendments included in the attached Notice of Intended Action.

Commission Action:

Moved by Nancy Maher
Seconded by Charese Yanney

Arnold
Fehrman
Juckette
Maher
Putney
Rielly
Yanney

Vote
Aye
Nay
Pass

Division Director
Legal
State Director
Stuart Anderson; I'm here to present proposed Iowa Administrative Code amendments to chapter four Public Records and Fair Information Practices. These are minor rule changes to reflect updates to the Iowa code from the 2017 legislative session and also to eliminate one rule that the attorney general's office has determined is not necessary because it is already comprehensively covered by Iowa code language.

Therefore, it is recommended the commissioner prove the rule amendments included in the attach notice of intended action.

Commissioner Maher made a motion to approve the rule amendments included in the Notice of Intended Action. Commissioner Yanney seconded the motion. Commissioner Juckette – absent. Motion passes unanimously.
TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rule making related to confidential records and providing an opportunity for public comment

The Department of Transportation hereby proposes to amend Chapter 4, “Public Records and Fair Information Practices,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 305.15 and 307.12.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 22.7(50), 80G.2 and 80G.3.

Purpose and Summary

The proposed amendments, which are explained more specifically below, rescind subrules 4.4(3) and 4.9(23) because they are no longer necessary, amend subrule 4.9(15) to conform to current Iowa Code language, and update the implementation sentence of rule 761—4.9(22) to include the applicable Iowa Code sections.

Subrule 4.4(3) concerns release of confidential records by the Director of Transportation. After review with the Attorney General’s Office, the Department determined that subrule 4.4(3) is unnecessary and that the procedure for records protected under Iowa Code chapter 22 is already comprehensively addressed in that Iowa Code chapter.

2017 Iowa Acts, chapter 122, sections 3 to 6, created Iowa Code chapter 80G, Undercover Law Enforcement — Privilege — Confidentiality. The proposed amendment to subrule 4.9(15) implements Iowa Code sections 80G.2 and 80G.3.

Subrule 4.9(23) concerns records which contain information relating to security procedures, emergency preparedness and disaster recovery. Iowa Code section 22.7(50) was amended by 2017 Iowa Acts, chapter 156, which removed a paragraph stating that Iowa Code section 22.7(50) only applied to information held by a government body that had adopted a rule or policy which identified the specific confidential records. Therefore, subrule 4.9(23), which includes the Department’s specific confidential records, is no longer needed.

The Records Commission approved the proposed amendments at its meeting held on February 8, 2019.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the person’s circumstances meet the statutory criteria for a waiver may petition the Department for a waiver under 761—Chapter 11.
Public Comment

Any interested person may submit written comments concerning this proposed rule making or may submit a written request to make an oral presentation at a public hearing. Written comments or requests to present oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on June 25, 2019. Comments should be directed to:

Tracy George
Department of Transportation
DOT Rules Administrator, Strategic Communications and Policy Bureau
800 Lincoln Way
Ames, Iowa 50010
Email: tracy.george@iowadot.us

Public Hearing

A public hearing to hear requested oral presentations will be held as follows:

June 27, 2019
10 a.m.
Department of Transportation
Administration Building, First Floor South
Conference Room
800 Lincoln Way
Ames, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact Tracy George, the Department’s rules administrator, and advise of specific needs.

The public hearing will be canceled without further notice if no oral presentation is requested.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Rescind and reserve subrule 4.4(3).

ITEM 2. Amend subrule 4.9(15), introductory paragraph, as follows:

4.9(15) Certain Privileged and personnel records or information of law enforcement officers and undercover law enforcement officers, as specified in Iowa Code sections 80G.2 and 80G.3, as well as certain records regarding undercover driver’s licenses issued to certified peace officers employed by a local authority or by the state or federal law enforcement officers, as specified in 761—Chapter 625. (Iowa Code sections 22.7, 80G.2, 80G.3 and 321.189A)

ITEM 3. Rescind and reserve subrule 4.9(23).

ITEM 4. Amend rule 761—4.9(22), implementation sentence, as follows:

DISCUSSION/BACKGROUND:

The Office of Aviation requests approval for the fiscal year (FY) 2020 State Aviation Program, including project recommendations for the Commercial Service Vertical Infrastructure, General Aviation Vertical Infrastructure, and the Airport Improvement Program. The recommended program with project costs is attached.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the FY 2020 State Aviation Program as attached.
PPM-2020-10

Shane Wright, Aviation Bureau; last month we presented to you the FY 2020 State Aviation Program, including recommendations for the Commercial Service Vertical Infrastructure, General Aviation Vertical Infrastructure, and the Airport Improvement Programs totaling over $7.6 million in projects at airports across the state.

Therefore, it is recommended, the commission approved the FY20 State Aviation Program as attached to the Commission Order.

Commissioner Fehrman made a motion to approve the FY20 State Aviation Program as presented. Commissioner Maher seconded the motion. Commissioner Juckette – absent. Motion passes unanimously.
## FY 2020 State Aviation Program

### Airport Improvement Program $4,521,036

- **Aviation Safety** $546,040
  - AWOS maintenance and data link, runway marking, immediate safety enhancements, obstruction mitigation, wildlife mitigation, windsocks, education and outreach

- **Aviation planning and development** $3,974,996
  - Airport development projects, air service development, statewide planning and research

### Commercial Service Vertical Infrastructure $1,900,000

### General Aviation Vertical Infrastructure $1,185,110

### Total Aviation Program $7,606,146

## Airport Development projects

<table>
<thead>
<tr>
<th>Airport</th>
<th>Project</th>
<th>Total Project Cost</th>
<th>State Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Algona Municipal Airport</td>
<td>3 Stall hangar Approach Paving</td>
<td>65,000</td>
<td>48,750</td>
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<tr>
<td>Clinton Municipal Airport</td>
<td>Reconstruct North Apron</td>
<td>420,500</td>
<td>357,425</td>
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<tr>
<td>Des Moines International Airport</td>
<td>Install Airport Beacon</td>
<td>138,500</td>
<td>55,400</td>
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<tr>
<td>Forest City Municipal Airport</td>
<td>Hangar Site Improvements</td>
<td>95,000</td>
<td>71,250</td>
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<tr>
<td>Fort Dodge Regional Airport</td>
<td>Widen Taxiway</td>
<td>251,500</td>
<td>196,000</td>
</tr>
<tr>
<td>Iowa City Municipal Airport</td>
<td>Reconstruct Apron and Taxiway</td>
<td>370,700</td>
<td>315,095</td>
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<tr>
<td>Iowa Falls Municipal Airport</td>
<td>Fuel Facility Improvements</td>
<td>130,000</td>
<td>104,000</td>
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### Airport Development projects (continued)

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<thead>
<tr>
<th>Airport</th>
<th>Project</th>
<th>Total Project Cost</th>
<th>State Amount</th>
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</thead>
<tbody>
<tr>
<td>Marshalltown Municipal Airport</td>
<td>Terminal and Hangar Site Improvements</td>
<td>400,000</td>
<td>320,000</td>
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<tr>
<td>Mason City Municipal Airport</td>
<td>Construct Hangar Taxi Lane Grading</td>
<td>240,000</td>
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<td>Milford Municipal Airport</td>
<td>Runway Overlay</td>
<td>285,862</td>
<td>230,862</td>
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<tr>
<td>Mount Ayr Municipal Airport</td>
<td>Prepare Airport Layout Plan</td>
<td>30,000</td>
<td>21,000</td>
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<td>Ottumwa Regional Airport</td>
<td>Apron Improvements</td>
<td>350,000</td>
<td>297,500</td>
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<td>Red Oak Municipal Airport</td>
<td>Fuel System Upgrade</td>
<td>172,500</td>
<td>129,375</td>
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<td>Shenandoah Regional Airport</td>
<td>Construct 6 Unit T-Hangar Taxi Lane</td>
<td>120,000</td>
<td>90,000</td>
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<tr>
<td>Sioux Gateway Airport</td>
<td>Rehabilitate Taxiway A</td>
<td>3,294,000</td>
<td>425,000</td>
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<tr>
<td>Southeast Iowa Regional Airport</td>
<td>Reconstruct Taxi Lane</td>
<td>125,080</td>
<td>28,318</td>
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<td>Southeast Iowa Regional Airport</td>
<td>Update Zoning Ordinance</td>
<td>30,000</td>
<td>25,000</td>
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<tr>
<td>The Eastern Iowa Airport</td>
<td>Construct Support Pavement at air cargo</td>
<td>433,670</td>
<td>368,619</td>
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<td>Waukon Municipal Airport</td>
<td>Reconstruct Apron</td>
<td>46,500</td>
<td>34,875</td>
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<td>Waverly Municipal Airport</td>
<td>Obstruction Removal</td>
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<td>148,027</td>
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<td><strong>$7,172,962</strong></td>
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### General Aviation Vertical Infrastructure projects

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<th>Project</th>
<th>Total Project Cost</th>
<th>State Amount</th>
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<tbody>
<tr>
<td>Algona Municipal Airport</td>
<td>3 Stall Hangar Extension</td>
<td>360,000</td>
<td>150,000</td>
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<tr>
<td>Atlantic Municipal Airport</td>
<td>Hangar Rehabilitation</td>
<td>168,750</td>
<td>75,000</td>
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<tr>
<td>Carroll – Arthur N. Neu.</td>
<td>Construct New Hangar</td>
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<td>Forest City Municipal Airport</td>
<td>Hangar Building</td>
<td>55,000</td>
<td>30,250</td>
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<td>Harlan Municipal Airport</td>
<td>Install Hangar Doors</td>
<td>101,140</td>
<td>75,000</td>
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<td>Iowa City Municipal Airport</td>
<td>Fuel Facility Expansion</td>
<td>177,900</td>
<td>150,000</td>
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<tr>
<td>Knoxville Municipal Airport</td>
<td>Construct T-Hangar</td>
<td>300,000</td>
<td>150,000</td>
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<td>Marshalltown Municipal Airport</td>
<td>Terminal Building Improvements</td>
<td>1,050,000</td>
<td>150,000</td>
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<td>Perry Municipal Airport</td>
<td>New Fuel Facility</td>
<td>149,800</td>
<td>104,860</td>
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<td>Shenandoah Regional Airport</td>
<td>Construct 6 Unit T-Hangar</td>
<td>250,000</td>
<td>150,000</td>
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<tr>
<td>Sibley Municipal Airport</td>
<td>Construct New Hangar</td>
<td>233,500</td>
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<td><strong>Total</strong></td>
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<td><strong>$2,846,090</strong></td>
<td><strong>$1,185,110</strong></td>
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### Commercial Service Vertical Infrastructure projects

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<th>Allocated State Share</th>
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<td>South Quadrant FBO Site Development</td>
<td>11,312,438</td>
<td>727,692</td>
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<td>Dubuque Regional Airport</td>
<td>Equipment Wash Facility</td>
<td>500,000</td>
<td>134,372</td>
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<td>Fort Dodge Regional Airport</td>
<td>Renovate Hangars and AFSS Building, Construct Hangar A and IT Room</td>
<td>125,000</td>
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<td>Mason City Municipal Airport</td>
<td>Terminal Upgrades and Roadway Lighting</td>
<td>231,000</td>
<td>121,653</td>
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<td>Sioux Gateway Airport</td>
<td>Terminal and Hangar Repair</td>
<td>155,000</td>
<td>134,923</td>
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<td>Southeast Iowa Regional Airport</td>
<td>Terminal Upgrades</td>
<td>121,752</td>
<td>121,752</td>
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<tr>
<td>The Eastern Iowa Airport</td>
<td>Air Cargo Logistics Facility</td>
<td>15,866,250</td>
<td>408,752</td>
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<td>Waterloo Regional Airport</td>
<td>Hangar and Terminal Improvements</td>
<td>132,950</td>
<td>129,342</td>
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<td><strong>Total</strong></td>
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<td><strong>$28,444,390</strong></td>
<td><strong>$1,900,000</strong></td>
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DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Planning, Programming and Modal Division

Division/Bureau/Office: Systems Planning Bureau
Order No.: PPM-2020-11

Submitted by: Craig Markley
Phone No.: 515-239-1027
Meeting Date: August 12, 2019

Title: Revitalize Iowa’s Sound Economy (RISE) Application – Des Moines

DISCUSSION/BACKGROUND:

The city of Des Moines and the Des Moines Airport Authority submitted a RISE Local Development application in the February 2019 round requesting a grant to assist in construction of approximately 1,600 feet of SW 28th Street located on the southwest side of town.

This project is necessary to provide access to the expanded Des Moines International Airport for industrial and airport purposes. This project is anticipated to be completed by June 2020.

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 and retention, award a RISE grant of $1,288,406 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 Kathy Fehrman
Seconded by Charese Yanney

Arnold
Fehrman
Juckette
Maher
Putney
Rielly
Yanney

Aye
Nay
Pass

x

x

absent

x

x

x
Craig Markley, Systems Planning Bureau; The City of Des Moines and Des Moines Airport Authority submitted a Local Development RISE funding request to assist in construction of approximately 1600 feet of SW 28th Street located on the southwest side of town.

This project is necessary to provide access to expand the Des Moines International Airport for industrial and airport purposes. Under RISE Local Development criteria this project a rating of 60 points. Total estimated cost of the project is $2,576,812 and Des Moines and the Airport Authority requests the RISE grant of $1,288,406 and will be providing 50% local match.

It is recommended the Commission, based on the capital investment commitment and potential for future job creation and retention, award a RISE grant of $1,288,406 or up to 50 percent of the total RISE-eligible project cost, whichever is less, from the city share of the RISE Fund.

Commissioner Fehrman made a motion to award a RISE grant of $1,288,406 or up to 50 percent of the total RISE-eligible project cost, whichever is less, from the city share of the RISE Fund. Commissioner Yanney seconded the motion. Commissioner Juckette – absent. Motion passes unanimously.