

## **PRELIMINARY COMMISSION AGENDA**

**Burlington Tour  
June 12-13, 2023**



# IOWA TRANSPORTATION COMMISSION

## Meeting Agenda / Commission Orders

June 13, 2023  
Burlington Riverfront Entertainment  
Burlington, Iowa

| ITEM NUMBER            | TITLE   | SUBMITTED BY    | PAGE |
|------------------------|---|-----------------|------|
| D-2023-74<br>8:00 a.m. | * Approve Minutes of the May 9, 2023 Meeting<br><br>Commission Comments<br><br>DOT Comments | Cindy Dorhout   | 2    |
| TD-2023-75             | * Revitalize Iowa's Sound Economy (RISE) – Mahaska County/Oskaloosa                         | Deb Arp         | 3    |
| TD-2023-76             | * Revitalize Iowa's Sound Economy (RISE) Project Settlement– Farley                         | Deb Arp         | 4    |
| TD-2023-77             | * 2024-2028 Iowa Transportation Improvement Program   | Stuart Anderson | 5    |
| 8:10 a.m.              | Adjourn   |                 |      |

\*Action Item

### Public Input Meeting begins at 8:15 a.m.

On Monday, June 12, 2023 the Commission and staff will meet informally at 3:30 p.m. in the Auditorium at Burlington Riverfront Entertainment in Burlington. 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-2023-74  
Submitted by Cindy Dorhout Phone No. 515-239-1067 Meeting Date June 13, 2023  
Title Approve Minutes of the May 9, 2023 Commission Meeting

**DISCUSSION/BACKGROUND:**

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve the minutes of the May 9, 2023 Commission Meeting.

**COMMISSION ACTION:**

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

|          | Aye   | Vote<br>Nay | Pass  |
|----------|-------|-------------|-------|
| Arnold   | _____ | _____       | _____ |
| Fehrman  | _____ | _____       | _____ |
| Gaesser  | _____ | _____       | _____ |
| Juckette | _____ | _____       | _____ |
| Rielly   | _____ | _____       | _____ |
| Stutsman | _____ | _____       | _____ |
| Yanney   | _____ | _____       | _____ |

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DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Transportation Development Division  
Division/Bureau/Office Systems Planning Bureau Order No. TD-2023-75  
Submitted by Debra Arp Phone No. 515-239-1681 Meeting Date June 13, 2023  
Title Revitalize Iowa's Sound Economy (RISE) Application – Mahaska County/Oskaloosa

**DISCUSSION/BACKGROUND:**

Mahaska County submitted an Iowa's Certified Site Program RISE Local Development application in the February 2022 round requesting a grant to assist in construction of approximately 10,000 feet of new roadway connecting Iowa 23 and US 63, turn lanes at Iowa 23 and 17<sup>th</sup> Avenue East, Iowa 23 and Osburn Avenue, Iowa 23 and proposed connector, and US 63 and proposed connector located southeast of Oskaloosa.

This project is necessary to provide improved access to more than 517 acres including Oskaloosa Innovation Park, a proposed Iowa Economic Development Authority Certified Site of approximately 490 acres, and an additional 27 acres that will be opened for RISE eligible development.

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, commit a RISE grant of \$5,881,412 from the county share of the RISE Fund and \$4,258,954 from the city share of the RISE Fund for a total of \$10,140,366 or up to 65 percent of the total RISE-eligible project cost, whichever is less. Since this is a certified site project, the actual award amount is subject to change as the project plans are finalized. Any changes to the scope or approved funding will be submitted by the department to the Commission for consideration as a modification to the award. In addition, this commitment is contingent on Certified Site approval from IEDA.

**COMMISSION ACTION:**

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

|          | Aye   | Vote<br>Nay | Pass  |
|----------|-------|-------------|-------|
| Arnold   | _____ | _____       | _____ |
| Fehrman  | _____ | _____       | _____ |
| Gaesser  | _____ | _____       | _____ |
| Juckette | _____ | _____       | _____ |
| Rielly   | _____ | _____       | _____ |
| Stutsman | _____ | _____       | _____ |
| Yanney   | _____ | _____       | _____ |

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DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Transportation Development Division  
Division/Bureau/Office Systems Planning Bureau Order No. TD-2023-76  
Submitted by Debra Arp Phone No. 515-239-1681 Meeting Date June 13, 2023  
Title Revitalize Iowa's Sound Economy (RISE) Project Settlement - Farley

**DISCUSSION/BACKGROUND:**

On October 10, 2017, the city of Farley was awarded a RISE grant of \$333,478 to assist with the construction of approximately 1,275 feet of 11th Avenue Northwest located on the northwest side of town.

Commission approval of the associated economic development of the project is contingent upon the majority of the area to be developed with RISE eligible land uses.

On May 1, 2018, the roadway was opened to traffic. As of February 2023, the city of Farley had not met the development contingency. The department was advised that 14 out of the 14 acres were developed with non-RISE eligible land uses.

The method of calculation and amount of proposed settlement was provided to the city. The city of Farley has agreed to repay the proposed settlement of \$200,012.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve the project settlement and proposed payment to the city share of the RISE Fund of \$200,012 for the city of Farley.

**COMMISSION ACTION:**

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

|          | Aye   | Vote<br>Nay | Pass  |
|----------|-------|-------------|-------|
| Arnold   | _____ | _____       | _____ |
| Fehrman  | _____ | _____       | _____ |
| Gaesser  | _____ | _____       | _____ |
| Juckette | _____ | _____       | _____ |
| Rielly   | _____ | _____       | _____ |
| Stutsman | _____ | _____       | _____ |
| Yanney   | _____ | _____       | _____ |

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DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Division/Bureau/Office Transportation Development Division Order No. TD-2023-77  
Submitted by Stuart Anderson Phone No. 515-239-1661 Meeting Date June 13, 2023  
Title 2024-2028 Iowa Transportation Improvement Program

**DISCUSSION/BACKGROUND:**

The 2024-2028 Iowa Transportation Improvement Program will be presented for final review and action.

In addition to approving the use of condemnation authority, if necessary, to acquire property for the projects in the highway section, approval of this Commission Order also authorizes the temporary transfer of funds from the RISE fund to the Primary Road Fund, if necessary, to meet anticipated road construction costs. Pursuant to Iowa Code Section 315.3(3)(b), attached is the letter from Iowa DOT Director Scott Marler certifying the cash flow funding of the department may be inadequate to meet anticipated road construction costs. Any funds transferred shall be repaid to the RISE fund within six months of transfer.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve and authorize distribution of the 2024-2028 Iowa Transportation Improvement Program. It is also recommended the Commission approve the use of condemnation, if necessary, to acquire property for the projects in the highway section. Finally, it is recommended the Commission authorize the temporary transfer of funds from the RISE fund to the Primary Road Fund, if necessary.

**COMMISSION ACTION:**

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

|          | Aye   | Vote<br>Nay | Pass  |
|----------|-------|-------------|-------|
| Arnold   | _____ | _____       | _____ |
| Fehrman  | _____ | _____       | _____ |
| Gaesser  | _____ | _____       | _____ |
| Juckette | _____ | _____       | _____ |
| Rielly   | _____ | _____       | _____ |
| Stutsman | _____ | _____       | _____ |
| Yanney   | _____ | _____       | _____ |

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May 23, 2023

Iowa Transportation Commission

Richard Arnold, Chair   Charese Yanney, Vice-Chair   Kathy Fehrman   Ray Gaesser  
Linda Juckette   Tom Rielly   Sally Stutsman  
*Delivered electronically*

Re:   Request for Authorization to Borrow Funds from the RISE Fund

Dear Commissioners,

As we have for the last five years, we are requesting your authorization to temporarily transfer funds from the RISE fund to the Primary Road Fund (PRF) during state fiscal year 2024. This request is made pursuant to section 315.3(3)(b) of the Iowa Code, which states:

*If the state transportation commission receives and files a letter from the director of transportation certifying that the cash flow funding of the department may be inadequate to meet anticipated road construction costs, the commission may authorize the temporary transfer of funds from the RISE fund to the primary road fund. Funds transferred under this paragraph shall be repaid to the RISE fund within six months of transfer.*

By this letter, I am certifying the cash flow funding of the department may be inadequate to meet anticipated road construction costs during fiscal year 2024. As we have discussed in the past, it is not a certainty that we will need to borrow RISE funds to meet cash flow needs in the highway program, but there is enough uncertainty to PRF revenue and expenditures in fiscal year 2024 to suggest it is possible borrowing RISE funds may be necessary. Therefore, we believe it's prudent to request your authorization to do so. The uncertainty of PRF expenditures is due to several very large construction projects underway, the potential for increased drawdown of funds by local jurisdictions during this coming construction season, and the significant increases in construction costs.

As we are doing this year, we will continue to provide regular updates throughout the year on the status of PRF revenue and expenditures and will advise you if it proves necessary to borrow RISE funds. If we do borrow RISE funds, we do not expect that would impact your ability to continue to award RISE funding to all eligible projects. In addition, as required by Iowa Code, any funds borrowed and transferred will be repaid to the RISE fund within six months of transfer.

Iowa Transportation Commission

May 26, 2023

Page **2** of **2**

Our request for your authorization will be part of our recommendation for Commission approval of the 2024-2028 Iowa Transportation Improvement Program, and your authorization would be memorialized in the order approving the program. A copy of the proposed order is included with this letter. The authorization to borrow will apply through the end of fiscal year 2024 which is June 30, 2024.

Please let me know if you have any questions or would like additional information. I look forward to seeing you all in June.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Marler", written in a cursive style.

Scott C. Marler, Director