

City Manager's Office
City Hall
50 West 13th Street
Dubuque, Iowa 52001-4864
(563) 589-4110 office
(563) 589-4149 fax
ctymgr@cityofdubuque.org



June 11, 2013

John Benson
Legislative Liaison/Alternate State Coordinating Officer
Iowa Homeland Security & Emergency Management
7105 NW 70th Ave.
Camp Dodge, Bldg. W-4
Johnston, IA 50131

VIA EMAIL

RE: Flood Mitigation Program

Dear Mr. Benson,

The purpose of this letter is to point out some inconsistencies between the legislation, the Draft Application and the Administrative Rules regarding the interpretation of Iowa Code Chapter 418 (the legislation establishing the State's Flood Mitigation Program) and seek clarity regarding the role and expectations of the economic development authority.

The use of consistent language and further clarification will facilitate the application preparation, submittal, and review process and ensure that funding for worthy flood mitigation projects can be made available in a timely manner.

Inconsistencies between Application, Administrative Rules and Legislation

There are multiple instances where the Draft Application and Administrative Rules language does not conform to the legislation.

We recommend revising the Draft Application and Administrative Rules language to match the legislation and its intent as outlined in the attached **Appendix C**:

Review of Submitted Applications by the Economic Development Authority

Section 418.9(4) of Senate File 2217 states, "Upon review of the applications, the board, following consultation with the economic development authority, shall approve, defer, or deny the applications." Our concern is that the application process could be unduly delayed if communities are not aware of the specific information or the

measurements and guidelines the economic development authority will employ when it reviews and comments on an application. If this information is known prior to submitting an application, delays associated with a request for and submittal of additional information could be avoided.

We respectfully ask for clarification as to the information the economic development authority will employ in order for them to review and comment on an application.

Conclusion

Thank you again for your consideration of our comments. Please feel free to contact me or Assistant City Manager Teri Goodman for more information or with any questions.

Sincerely,



Michael C. Van Milligen
City Manager

Attachments

cc: Teri Goodman, Assistant City Manager
Gus Psihoyos, City Engineer
Deron Muehring, Civil Engineer

Appendix C

Application

1. Eligibility #2 - "Eligible Project Types"

Recommended Change - "A Project is defined as..."

2. Eligibility #2 - "if the larger project is a part, otherwise"

Recommended Change - "if the larger project, of which the project is a part, otherwise"

3. Eligibility # 3 - "Federal Award"

Recommended Change - "Federal Financial Assistance Award"

Homeland Security and Emergency Management Administrative Rules

1. Page 6 Section 14.4(4) – "governmental entity shall provide a local match of at least fifty percent of the total cost of the project less any federal financial assistance"

Recommended Change - "governmental entity shall provide at least fifty percent of the total cost of the project, less any federal assistance for the project, as local matching funds"

2. Page 12 Section 14.10(12) – "project by the corresponding amount"

Recommended Change - "project by a corresponding amount"