

**Official Minutes**  
**Iowa Flood Mitigation Board**  
**City Hall, Council Chambers, Cedar Rapids**  
**June 17, 2013**

The Iowa Flood Mitigation Board held its meeting on June 17, 2013 at City Hall, Cedar Rapids, Iowa. The meeting was called to order at 10:00 AM by Chair Mark Schouten. A quorum of voting board members was present.

*In attendance:*

**Board Members:**

Mark Schouten, Amy Kaleita, John Torbert, Arnold Honkamp, Lori McDaniel on behalf of Chuck Gipp, Jake Friedrichsen, Carolann Jensen, Lori Glover.

Ex-officio: Robert Hogg\*

*Excused Absences:* Jared Klein\*, Daniel Lundby\*, Dan Zumbach\*, Bill Northey

(\* = nonvoting)

I. CONSENT AGENDA ITEMS.

A. Approval to adopt the agenda:

**Lori Glover moved for approval of the June 17, 2013 agenda; Arnold Honkamp seconded. Motion carried.**

B. Adoption of the Minutes from April 30, 2013

An amendment was made to the proposed draft minutes of April 30, 2013, to include April 29, 2013 letter from the City of Dubuque, be added as an attachment.

**John Torbert moved for approval of the April 30, 2013 minutes as amended; Amy Kaleita seconded. Motion carried.**

II. REVIEW AND DISCUSSION OF DRAFT APPLICATION PACKAGE.

Carol Tomb, Iowa Homeland Security and Emergency Management Division, reviewed the application package. The application reflects the revisions made to the draft rule. Pop-up windows showing the applicable section of the Iowa Code appear when the cursor is held over the entry box. The draft application has been released so entities may identify their eligibility.

The Board concurred that the application and rule should be amended to include submission of a maintenance plan for consideration.

Mike Cherry, the city of Waverly, stated that Waverly has 1000 people and two highways impacted by flooding, a \$7M project, and due to limited funding sources the city is not going to

have a large sales tax increment to work with. The Department of Revenue will assist cities in running the numbers. SF 2217 established the Flood Mitigation Fund but the legislature did not appropriate any money to the fund this session.

The board discussed the ability to defer projects pending a request for additional information to assist in determining the technical feasibility, engineering standards, and total estimated costs.

### III. REVIEW AND DISCUSSION OF DRAFT ADMINISTRATIVE RULES.

John Benson, HSEMD, presented the draft administrative rules. Comments since the April meeting had been incorporated into the current draft. Section 14.5 will be redrafted to include the board's requirement of a maintenance plan as part of the project application. Sect. 14.4(2) will be redrafted to include the phrase "but not limited to" per the request of board member John Torbert.

Effective July 1, state agencies will need to be preapproved by the Rules Review Committee to file for emergency rules. If the board follows the normal schedule, we could have a rule in place by the end of the year.

With regard to what costs are included in the bond issuance, Section 418.4 (1) C, the board determined that the tax increment could be used to pay interest costs.

The Board discussed timing of the bond issuance and how it aligned with determination of the tax increment. It was suggested that the board pass conditional approvals to align with the sales tax increment and bond issuance. The board will need to be flexible to accommodate the needs of the cities. The Department of Revenue will not start paying before the application is approved but will have to determine when to start their calculations. Carolann Jensen questioned whether it is within the power of the board to negotiate with the cities.

The board discussed the interpretation of the bills language on the application of the local match funds.

*...unless at least fifty percent of the total cost of the project, less any federal financial assistance for the project, is funded using local matching funds...*

The language in the bill led to two differing interpretations of how local match could be determined:

Interpretation #1 - You can take the total amount of the project, less the federal contribution and then divide by fifty percent.

Interpretation #2 – take the total amount and divide by fifty percent and then reduce by the federal contribution, half of that is the match.

The delta of the alternatives is fifty percent of the federal contribution. The board received public comments from the cities of Dubuque, Cedar Rapids and Waverly.

**John Torbert made the motion to incorporate language into the administrative rule to clarify the federal contribution is to be subtracted from the fifty percent local match; Arnie Honkamp seconded. Motion carried; Amy Kaleita absent at the time of the vote.**

#### IV. PUBLIC COMMENT.

Ellen Habel, City of Coralville: The city is contemplating submitting an application for the south side near Hwy 6. We expect the project as a whole to be less than \$30M.

Mike Van Milligan, City of Dubuque: I would encourage using the emergency rule process.

Joe O'Hern, City of Cedar Rapids: I want to thank you for making that decision and would continue to stress the importance this bears to the city and to make this legislation impact the citizens positively.

Teri Goodmann, City of Dubuque: An appeal to Senator Hogg. The city of Waverly represents a need throughout the state. I would ask the Flood Mitigation Fund gets funded. I think it is vital to the citizens.

#### V. ADJOURNEMENT.

**John Torbert made a motion to adjourn; Carolann Jensen seconded. Motion carried at 12:35 PM.**