

Official Minutes
Iowa Flood Mitigation Board
10–11 a.m., Thursday, July 30, 2015
Conference Call

In attendance:

Board Members:

Mark Schouten, Amy Kaleita, Lorraine Glover, John Torbert, Ronald Herrig, Adam Phillip for Michael Fitzgerald, Bill Ehm for Chuck Gipp, Carolann Jensen
Ex-officio: Robert Hogg*, Thomas Shipley*, Patti Ruff*, and David Sieck* Courtney Kay-Decker*.

Excused Absences: Jim Gillespie for Bill Northey

(* = nonvoting)

▪ WELCOME AND INTRODUCTIONS

The Iowa Flood Mitigation Board meeting was called to order at 10:02 a.m. by Chair Mark Schouten. A quorum of voting board members was present.

▪ APPROVAL OF AGEND

Bill Ehm moved for approval of the July 30, 2015, Agenda; Ron Herrig seconded. The motion carried.

▪ APPROVAL OF THE MINUTES OF June 22, 2015

Page 3 Ron Torbert should be changed to John Torbert

John Torbert moved for approval as amended of the June 22, 2015, Minutes; Ron Herrig seconded. The motion carried.

▪ PROPOSED AMENDMENTS TO CHAPTER 14 OF THE IOWA ADMINISTRATIVE CODE

John Benson provided the board the Notice of Intent (NOI) to file language to amend Administrative Code Section 605 relevant to the legislation passed this last session. NOI attached.

HF510 language and HF655 fall under department of revenue. Based on the date today, if the board approves the rules today, they would be filed next week and a public hearing scheduled for September.

Lorrain Glover made the motion: to approve the amendments to the rules to include the change to the filing schedule and Page 2: fourth bullet, change “or” for “of.”

Seconded by Carolann Jensen. Motion was approved unanimously.

- PROPOSED AMENDMENT TO THE CEDAR RAPIDS FLOOD MITIGATION PROGRAM AGREEMENT

Terry Brown presented the city of Cedar Rapids request for amendment to the agreement. The request is to increase the 2015 to \$10,700,000. The city has analyzed the tax increment generated and their eligibility for the increase. There has been a delay in funds from the U.S. Army Corps of Engineers. This increase is within the \$30 million annual limit for allocation and under the individual applicant’s limit of \$15 million.

John Torbert made the motion: I move that the Iowa Flood Mitigation Board approve the City of Cedar Rapids amendment request filed with the board on the thirtieth of June 2015. I further move that the board amend the existing agreement between the board and the city to reflect the approved annual sales tax increment amounts as submitted in the revised Exhibit B with the stipulation that annual sales tax increment remittances shall be limited to the lesser of the revised and approved Exhibit B or the actual annual eligible tax increment as determined by the Iowa Department of Revenue. **The motion was seconded by Ron Herrig. Following a roll call vote, the motion carried unanimously.**

- PUBLIC COMMENT

Rob Hogg, would like to thank the board for continuing to work with these communities to make these projects work.

- ADJOURNMENT

Carolann Jensen made a motion to adjourn seconded by Ron Herrig. Motion carried. The meeting was adjourned at 10:52 a.m.

http://www.homelandsecurity.iowa.gov/about_HSEMD/flood_mitigation_board.html

Attachment

HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT [605]

Notice of Intended Action

Pursuant to the authority of Iowa Code section 418.7, the Department of Homeland Security and Emergency Management hereby gives Notice of Intended Action to amend Chapter 14, "Flood Mitigation Program", Iowa Administrative Code.

The proposed amendments are intended to implement 2015 Iowa Acts House File 616 and House File 655. These proposed amendments expand the definition of government entity and also adds the Iowa Department of Revenue as an ex officio non-voting member of the Flood Mitigation Board.

Consideration will be given to all written suggestions or comments on the proposed amendments on or before September 8, 2015. Such written materials should be sent to the Administrative Rules Coordinator, Iowa Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324; fax 515-725-3260; or email at john.benson@iowa.gov.

Also, there will be a public hearing on September 8, 2015, at 11:00 a.m., in the Homeland Security and Emergency Management Cyclone Conference Room, at 7900 Hickman, Suite 500, Windsor Heights, Iowa, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the rules.

Any persons who intend to attend the public hearing and have special requirements, such as hearing or mobility impairments, should contact the Homeland Security and Emergency Management Department and advise of specific needs.

After analysis and review of this rule making, it has been determined that new jobs are likely to be created as a result of these amendments.

These amendments intended to implement Iowa Code Chapter 418 as amended by 2015 Iowa Acts House File 616 and House File 655.

The following amendments are proposed.

ITEM 1. Amend subrule **418.2**, definition of “Governmental entity,” as follows:

“*Governmental entity*” means any of the following:

1. A county.
2. A city.
3. A joint board or other legal or administrative entity established or designated in an agreement pursuant to Iowa Code chapter 28E or 28F between any of the following:
 - Two or more cities located in whole or in part within the same county.
 - A county and one or more cities that are located in whole or in part within the county.
 - A county, one or more cities that are located in whole or in part within the county, and a drainage district formed by mutual agreement under Iowa Code section 468.142 located in whole or in part within the county.
 - One or more counties, one or more cities that are located in whole or in part within those counties, and one or more sanitary districts established under Iowa Code chapter 358

or a combined water and sanitary district as provided for in Iowa Code sections 357.1B and 358.1B, located in whole or in part within those counties.

ITEM 2. Amend subrule 418.3(2) as follows:

14.3(2) The board shall be comprised of nine voting members and ~~four~~five ex-officio nonvoting members.

a. The voting members shall include all of the following:

(1) Four members of the general public appointed by the governor and confirmed by the senate in accordance with Iowa Code sections 69.16 and 69.16A. These members shall be appointed to three-year staggered terms, and the terms shall commence and end as provided in Iowa Code section 69.19.

1. Two members of the general public shall have demonstrable experience or expertise in the field of natural disaster recovery.

2. Two members of the general public shall have demonstrable experience or expertise in the field of flood mitigation.

(2) The director of the department of natural resources or the director's designee.

(3) The secretary of agriculture or the secretary's designee.

(4) The director of the department or the director's designee.

(5) The treasurer of state or the treasurer's designee.

(6) The executive director of the Iowa finance authority or the executive director's designee.

b. The ex-officio nonvoting members shall include ~~four members of the general assembly with one each appointed by~~ the following:

(1) A member of the general assembly appointed by ~~the~~ majority leader of the senate.

(2) A member of the general assembly appointed by ~~T~~the minority leader of the senate.

(3) A member of the general assembly appointed by ~~T~~the speaker of the house of representatives.

(4) A member of the general assembly appointed by ~~T~~the minority leader of the house of representatives.

(5) The director of the department of revenue or the director's designee.