

ECONOMIC DEVELOPMENT AUTHORITY[261]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 15.106A, the Economic Development Authority gives Notice of Intended Action to amend Chapter 39, “Iowa Main Street Program,” Iowa Administrative Code.

The rules in Chapter 39 describe Iowa’s Main Street program. Iowa’s Main Street program is designed in accordance with the National Main Street Center’s program. The proposed amendments update the title of Iowa’s program, add new program definitions, update the description of the application process, update the four strategies of the Main Street Iowa program and modify the selection criteria to align with recent programmatic changes made by the National Main Street Center program.

The Economic Development Authority Board approved these amendments at the Board meeting held on June 17, 2016.

Interested persons may submit comments on or before August 23, 2016. Comments may be submitted to Jim Engle, Economic Development Authority, 200 East Grand Avenue, Des Moines, Iowa 50309; telephone number (515)725-3058; e-mail james.engle@iowa.gov.

These amendments do not have any fiscal impact to the state of Iowa.

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

These amendments are intended to implement Iowa Code section 15.108.

The following amendments are proposed.

ITEM 1. Amend **261—Chapter 39**, title, as follows:

~~IOWA~~ MAIN STREET IOWA PROGRAM

ITEM 2. Amend rule 261—39.1(15) as follows:

261—39.1(15) Purpose. The purpose of the ~~Iowa~~ main street Iowa program is to stimulate economic development within the context of historic preservation and to establish a strong public/private partnership to revitalize traditional commercial districts in Iowa communities. The main street Iowa program emphasizes community self-reliance and the traditional assets of personal service, local ownership and unique architecture historically prevalent in traditional commercial districts. The main street Iowa program is based on four strategies which, when applied together, create a positive image and an improved economy in these districts. The strategies are organization, promotion, design and economic ~~restructuring~~ vitality.

Communities selected for participation in this ~~demonstration~~ program will receive technical assistance from the ~~department’s~~ authority’s main street Iowa staff, professional staff of the National ~~Trust~~ Main Street Center, and other professional consultants and may have professional services of other state agencies to draw upon in order to facilitate the communities’ local main street ~~program~~ programs.

ITEM 3. Amend rule 261—39.2(15) as follows:

261—39.2(15) Definitions. The following definitions will apply to the ~~Iowa~~ main street Iowa program unless the context otherwise requires:

“Authority” means the economic development authority created in Iowa Code section 15.105.

~~“Department” means the Iowa department of economic development.~~

“Director” means the director of the Iowa department of economic development authority.

“Eligible activity” includes organization, promotion, design and economic restructuring vitality activities to create a positive image and an improved economy in a city’s traditional commercial districts district.

“Eligible applicant” means a city in Iowa that files a joint application with a local nonprofit organization established by the community to govern the local main street program.

“National Trust Main Street Center” refers to an entity within the National Trust for Historic Preservation, a nonprofit national organization chartered by Congress means a nonprofit subsidiary of the National Trust for Historic Preservation, a nonprofit organization chartered by the United States Congress. The National Main Street Center owns the licensed, trademarked Main Street Four-Point Approach®.

“Program” means the main street Iowa program established in this chapter.

“Traditional commercial district” means a downtown or neighborhood area that is walkable and is dominated by historic or older commercial architecture and contiguous commercial uses. A traditional commercial district defines the target area of the local program efforts.

ITEM 4. Amend subrules 39.3(1) to 39.3(3) as follows:

~~39.3(1) Administering agency.~~ The Iowa main street program is administered by the Iowa department of economic development authority.

~~39.3(2) Subcontracting.~~ The department authority may contract with the National Trust Main Street Center of the National Trust for Historic Preservation for technical and professional services as well as with other appropriate consultants and organizations.

~~39.3(3) Request for applications (RFA) Applications.~~ The department authority, upon availability of funds, will distribute a request for applications which describes. The application will describe the Iowa main street program, outlines outline eligibility requirements, and includes an application and a description of describe the application procedures process. Selection will be made on a competitive basis.

ITEM 5. Rescind subrule 39.3(4) and adopt the following new subrule in lieu thereof:

39.3(4) Program agreement. Each selected community shall enter into a standard program agreement with the authority. The program agreement will describe the obligations of the authority and the community.

ITEM 6. Rescind subrule **39.3(5)**.

ITEM 7. Renumber subrule **39.3(6)** as **39.3(5)**.

ITEM 8. Rescind and reserve rule **261—39.4(15)**.

ITEM 9. Amend rule 261—39.6(15) as follows:

261—39.6(15) Selection Application and selection process.

39.6(1) The authority will conduct application workshops around the state. Cities that wish to apply for selection as a main street community must attend one application workshop in order to receive an application form. The authority will send standard application forms to workshop attendees. A completed application shall be returned to the authority, be postmarked no later than the date specified by the authority in the application, and contain the information requested in the application.

~~39.6(1)~~ **39.6(2)** The director will determine, contingent upon the availability of state funding, the number of cities to be selected for inclusion in the main street program.

~~39.6(2)~~ **39.6(3)** Cities will be selected for participation in the program on a competitive basis as described in these rules.

~~39.6(3)~~ **39.6(4)** Upon selection of the demonstration projects communities, the department shall prepare an agreement which will include the terms and conditions of participation authority will notify selected communities in writing.

ITEM 10. Rescind rule 261—39.7(15) and adopt the following new rule in lieu thereof:

261—39.7(15) Selection criteria. The following factors shall be considered in the selection of a city for participation in the program:

39.7(1) The applicant has a well-planned budget demonstrating sustainable funding for ongoing operations and evidence of adequate local sources of funding to support the traditional commercial district revitalization organization and its programming.

39.7(2) The applicant has garnered broad-based financial and philosophical community support for the local program including support from the city.

39.7(3) The applicant has provided evidence of willingness by local stakeholders to get involved in the effort.

39.7(4) The applicant has demonstrated its commitment to the main street approach and has hired or will be hiring an executive director to manage the local program.

39.7(5) The applicant is committed to historic preservation and preservation-based economic development and has demonstrated its commitment by a track record of preservation planning and a commitment to future preservation projects.

39.7(6) The applicant has provided evidence of traditional commercial district planning efforts and clearly defined goals for the future.

39.7(7) The applicant has defined an organizational structure to manage local program efforts.

39.7(8) The applicant demonstrates an eagerness to learn and implement traditional commercial district revitalization strategies and techniques.

39.7(9) The applicant has clearly defined the boundaries of the proposed traditional commercial district and has articulated the reasons behind the location of the boundaries.

39.7(10) The applicant has identified a traditional commercial district that has clear potential for success, as demonstrated by the presence of the following elements:

- a. Existence of historic character of the traditional commercial district.
- b. Plans for the traditional commercial district demonstrate a recognition of traditional commercial district trends and address the challenges unique to that district.
- c. Present market capacity defined by a current business environment upon which the district can build its revitalization efforts.
- d. Present physical capacity defined by building stock and built environment upon which the district can build its revitalization efforts.

ITEM 11. Amend rule 261—39.9(15) as follows:

261—39.9(15) Performance reviews Reports. Participating main street communities shall submit performance reports to the ~~department~~ authority as required. The reports shall document the progress of the program activities.

ITEM 12. Amend rule 261—39.10(15) as follows:

261—39.10(15) Noncompliance. If the ~~department~~ authority finds that a participating main street community is not in compliance with the requirements under this program or the terms of the program agreement, the ~~department~~ authority shall terminate the program agreement.