

CHAPTER 212
VISION IOWA PROGRAM

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

261—212.1(15F) Purpose. The vision Iowa board is charged by the Iowa legislature and the governor with establishing, overseeing and providing approval of the administration of the vision Iowa program, the community attraction and tourism (CAT) program, and the river enhancement community attraction and tourism (RECAT) fund. The board will encourage and support creative projects that enhance the lives of Iowans throughout the state, will encourage and support visionary thinking in cities and towns and counties of all sizes and in all areas, and will leverage state moneys as heavily as possible to attract funds for these projects from other sources. The vision Iowa board will support projects that build on Iowa's unique assets and values and expand the recreational, cultural, educational, and entertainment opportunities in the state.

261—212.2(15F) Definitions. When used in this chapter, the following definitions apply unless the context otherwise requires:

"Attraction" means a permanently located recreational, cultural, educational or entertainment activity that is available to the general public.

"Board" means the vision Iowa board as established in Iowa Code section 15F.102.

"Department" or *"IDED"* means the Iowa department of economic development.

"Economic development organization" means an entity organized to position a community to take advantage of economic development opportunities and strengthen a community's competitiveness as a place to work and live.

"Float loan" or *"interim financing"* means a short-term loan (maximum of 30 months) from obligated but unexpended funds.

"Fund" means the vision Iowa fund established pursuant to Iowa Code section 12.72.

"Loan" means an award of assistance with the requirement that the award be repaid with term, interest rate, and other conditions specified as part of the award. A deferred loan is one for which the payment of principal, interest, or both, is not required for some specified period. A forgivable loan is one for which repayment is eliminated in part or entirely if the borrower satisfies specified conditions.

"Local support" means endorsement by local individuals and organizations that have a substantial interest in a project.

"Major tourism facility" means a project of at least \$20 million in scope that has substantial regional or statewide economic impact.

"Nonfinancial support" may include, but is not limited to, the value of labor and services which may not total more than 25 percent of a local match. Real property and personal property donated for purposes of the project are considered financial support at their fair market value.

"Political subdivision" means a city or county, or an entity established pursuant to Iowa Code chapter 28E.

"Private organization" means a corporation, partnership, or other organization that is operated for profit.

"Program" means the vision Iowa program established in Iowa Code section 15F.302.

"Public organization" means a not-for-profit economic development organization or other not-for-profit organization including those that sponsor or support community or tourism attractions and activities.

"Recipient" means the entity under contract with the vision Iowa board to receive vision Iowa funds and undertake the funded project.

"School district" means a school corporation organized under Iowa Code chapter 274.

"Subrecipient" means a private organization or other entity operating under an agreement or contract with a recipient to carry out a funded vision Iowa project.

"Vertical infrastructure" means land acquisition and construction, major renovation and major repairs of buildings, all appurtenant structures, utilities, site development, and recreational trails. "Vertical

infrastructure” does not include routine, recurring maintenance or operational expenses or leasing of a building, appurtenant structure, or utility without a lease-purchase agreement.

“*Vision Iowa program review committee*” means the committee established by Iowa Code section 15F.304(2) and identified as the following members of the vision Iowa board: four members of the general public, the mayor of a city with a population of 20,000 or more, the director of the Iowa department of economic development or designee, the treasurer of state or designee, and the auditor of state or designee. The chair and vice chair of the vision Iowa board may serve as ex officio members of any subcommittee of the board.

261—212.3(15F) Allocation of funds. Except as otherwise noted in Iowa Code chapter 15F, all vision Iowa funds shall be awarded for projects as specified in Iowa Code section 12.72.

261—212.4(15F) Eligible applicants.

212.4(1) Eligible applicants for vision Iowa funds include political subdivisions, public organizations, and school districts in cooperation with a city or county.

212.4(2) Any eligible applicant may apply directly or on behalf of a subrecipient.

212.4(3) Any eligible applicant may apply individually or jointly with another eligible applicant or other eligible applicants.

261—212.5(15F) Eligible projects and forms of assistance.

212.5(1) Eligible projects include those which are related to a major tourism facility which would position a community to take advantage of economic development opportunities in tourism and strengthen a community’s competitiveness as a place to work and live. Eligible projects include building construction or reconstruction, rehabilitation, conversion, acquisition, demolition for the purpose of clearing lots for development, site improvement, equipment purchases, and other projects as may be deemed appropriate by the vision Iowa board.

212.5(2) Eligible forms of assistance include grants, interest-bearing loans, non-interest-bearing loans, interim financing, interest subsidies, deferred payment loans, forgivable loans, loan guarantees, float loans, or other forms of assistance as may be approved by the vision Iowa board.

212.5(3) Financial assistance for an eligible project may be provided in the form of a multiyear award to be paid in increments over a period of years, subject to the availability of funds.

212.5(4) IDED, with the approval of the chair and vice chair of the vision Iowa board, reserves the right to make technical corrections which are within the intent of the terms of a board-approved award.

212.5(5) Applicants must report other sources of funding or pending funding, public or private, for the project including the local recreation infrastructure grants program administered by the department of natural resources and the Iowa historic site preservation program administered by the department of cultural affairs. IDED may consult with appropriate staff from the department of cultural affairs and the department of natural resources to coordinate the review of applications under the programs.

261—212.6(15F) Ineligible projects. The board shall not approve an application for assistance under this program under any of the following circumstances:

1. To refinance an existing loan.
2. To fund a project that has previously received financial assistance under the vision Iowa program, unless the applicant demonstrates that the assistance would be used for a significant expansion of the project.
3. A project in which vision Iowa funding would constitute more than 50 percent of the total project costs. A portion of the resources provided by the applicant for project costs may be in the form of nonfinancial support.

261—212.7(15F) Threshold application requirements. To be considered for funding under the vision Iowa program, an application shall meet the following threshold requirements:

212.7(1) There must be demonstrated local support for the proposed project.

212.7(2) A need for vision Iowa program funds must exist after other financial resources have been identified for the proposed project.

212.7(3) The proposed project must primarily involve the creation or renovation of vertical infrastructure with demonstrated substantial regional or statewide economic impact.

212.7(4) The project must provide and pay at least 50 percent of the cost of a standard medical insurance plan for all full-time employees working at the project after the completion of the project for which financial assistance was received.

261—212.8(15F) Application review criteria. Applications meeting the threshold requirements of rule 212.7(15F) will be reviewed by IDED and passed on to the vision Iowa board. IDED staff shall provide a review, analysis and evaluation of applications to the vision Iowa program review committee of the vision Iowa board. All eligible applications will be reviewed by the board. The vision Iowa program review committee shall evaluate and rank applications based on the following criteria:

212.8(1) Feasibility (0-25 points). The feasibility of the existing or proposed facility to remain a viable enterprise. The applicant's comprehensive business plan and operational plan will be reviewed as part of this criterion. Rating factors for this criterion include, but are not limited to, the following: analysis of the comprehensive business plan which shall include a description of initial capitalization, sources of funding, project budget, detailed financial projections (including revenues and expenses) for five years, marketing analysis, marketing plan, and management team; and analysis of the operational plan which shall provide detailed information about how the proposed attraction will be operated and maintained including a time line for implementing the project. In order to be eligible for funding, proposals must score at least 15 points on this rating factor.

212.8(2) Economic impact (0-25 points). Number of jobs created and other measures of economic impact including long-term tax generation, but excluding the use of economic multipliers. The evaluation of the economic impact of a proposed project shall also include a review of the wages and benefits (including health benefits) associated with the jobs to be created, safety, and other attributes of the project that would improve the quality of employment in the community. Additionally, the economic impact of a project shall be reviewed based on the degree to which the project enhances the quality of life in a region, increases diversity of projects available, contributes to the community's efforts to retain and attract a skilled workforce, and creatively uses existing resources in the community. In order to be eligible for funding, proposals must score at least 15 points on this rating factor.

212.8(3) Leveraged activity (0-10 points). The degree to which the facility or project will stimulate the development of other recreational and cultural attractions or tourism opportunities and enhance economic growth and job opportunities. The degree to which the facility or project is strategically aligned with other existing regional or statewide cultural, recreational, entertainment, or educational activities in the community. In order to be eligible for funding, proposals must score at least 6 points on this rating factor.

212.8(4) Matching funds (0-25 points). The proportion of local match to be contributed to the project, and the extent of public and private participation. Moneys expended toward implementation of the project after May 9, 2000, may be considered to be a local match. Moneys raised at any time but not yet spent may also be considered to be a local match.

212.8(5) Planning principles (0-10 points). The extent to which the project has taken the following planning principles into consideration:

a. Efficient and effective use of land resources and existing infrastructure by encouraging development in areas with existing infrastructure or capacity to avoid costly duplication of services and costly use of land.

b. Provision for a variety of transportation choices, including pedestrian traffic.

c. Maintenance of unique sense of place by respecting and enhancing local cultural, historical and natural environmental features.

d. Conservation of open space and farmland and preservation of critical environmental areas.

e. Promotion of the safety, livability, and revitalization of existing urban and rural communities.

212.8(6) Technology and values (0-5 points). Whether the project has taken the following into consideration:

- a. Extent to which the project encourages technologies that allow regional or statewide access for long-distance learning and Internet access to facility resources.
 - b. Extent to which the project enhances education, wellness (health), and breadth of the project to attract Iowans of all ages.
 - c. Extent to which facilities are nonsmoking.
 - d. Extent to which facilities enhance or promote fine arts. For purposes of this paragraph, “fine arts” means “fine arts” as defined in Iowa Code section 304A.8(2) and also includes landscaping.
- A minimum score of 65 points is required for a project to be recommended for funding.

261—212.9(15F) Application procedure.

212.9(1) Subject to availability of funds, applications will be reviewed by IDED staff on an ongoing basis and reviewed at least quarterly by the board. Applications will be reviewed by staff for completeness and eligibility. If additional information is required, the applicant shall be provided with notice, in writing, to submit additional information. A review, analysis and evaluation from the IDED staff will be submitted to the vision Iowa program review committee of the board who will then make a final recommendation to the complete board for final approval, denial or deferral. The vision Iowa board has the option to fund a component of a proposed project if the entire project does not qualify for funding.

212.9(2) Application forms for vision Iowa are available upon request from IDED, 200 East Grand Avenue, Des Moines, Iowa 50309.

212.9(3) IDED may provide technical assistance as necessary to applicants. IDED staff may conduct on-site evaluations of proposed projects.

212.9(4) Applications shall include, at a minimum, the information detailed in rule 212.8(15F).

261—212.10(15F) Administration of awards.

212.10(1) A contract shall be executed between the recipient and the vision Iowa board. These rules and applicable state laws and regulations shall be part of the contract. The board reserves the right to negotiate wage rates as well as other terms and conditions of the contract.

212.10(2) The recipient must execute and return the contract to the vision Iowa board within 45 days of transmittal of the final contract from the vision Iowa board. Failure to do so may be cause for the vision Iowa board to terminate the award.

212.10(3) Certain projects may require that permits or clearances be obtained from other state or local agencies before the activity may proceed. Awards may be conditioned upon the timely completion of these requirements.

212.10(4) Awards may be conditioned upon commitment of other sources of funds necessary to complete the project.

212.10(5) Amendments to contracts. Any substantive change to a contract shall be considered an amendment. Changes include time extensions, budget revisions and significant alteration of the funded projects that change the scope, location, objectives or scale of the approved project. Amendments must be requested in writing by the recipient and are not considered valid until approved by the vision Iowa board and confirmed in writing by IDED following the procedure specified in the contract between the recipient and the vision Iowa board.

These rules are intended to implement Iowa Code chapter 15F as amended by 2008 Iowa Acts, Senate File 2430 and House File 2450.

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