



**AGENDA**  
**FINANCE & ADMINISTRATION SUB-COMMITTEE**  
**Wednesday, April 7, 2021 – 7:00 AM**  
**Location – MS Teams**

The City of West Des Moines is pleased to provide accommodations to disabled individuals or groups and encourages their participation in advance, at 222-3600, so proper accommodation can best be arranged.

Due to the State Public Health Emergency Declaration regarding COVID-19, this meeting will be conducted electronically pursuant to Iowa Code 21.8 and the Proclamation of Governor Kim Reynolds dated March 19, 2020. Members of the public wishing to participate are encouraged to do so by calling:

**Phone Number**      **515-207-8241**  
**Conference ID**      **550 694 1#**

1. Financing Agreement – West Bank
2. Parental Leave Policy
3. Community Development Block Grant (COVID) (CDBG-CV) to Promote Access to Federal Emergency Broadband Benefit Funds
4. Federal American Rescue Plan Act of 2021 – Application of Funding
5. Potential Federal Community Grant Projects
6. Engagement to Review Human Services Internal Controls – BKD, LLC
7. Vendor Payment & P-Card Process Improvement
8. Staff Updates
  - a. City of WDM / Iowa National Guard Joint Training & Readiness Center
  - b. Implementation of IntegraReport Hotline Service
9. Other Items

Note: Any discussion, feedback or recommendation by Sub-committee member(s) should not be construed or understood to be an action or decision by or for the West Des Moines City Council. Further, any recommendation(s) the Sub-committee may make to the City Council is based on information provided to the Sub-committee at that point in time.

Item 1

March 23, 2021



City of West Des Moines  
Attention: Tim Stiles, Finance Director  
4200 Mills Civic Parkway  
West Des Moines, IA 50265

Dear Tim,

West Bank is pleased to present the following proposal. This proposal is for discussion purposes only and should not be construed as a lending commitment on the part of West Bank. A commitment can only be made after completion of our underwriting process, management approval, and completion of documentation acceptable to counsel.

**Borrower:** City of West Des Moines (“Borrower”)  
**Bank:** West Bank (“Bank”)  
**Type of Credit:** Revolving Line of Credit (“Loan”)  
**Credit Facility:** Up to \$29,000,000.  
**Purpose:** Provide funding for the construction of fiber internet infrastructure in West Des Moines.  
**Interest Rate:** Interest rate to be Prime -0.50%, floating, with a floor of 2.75%.  
**Repayment:** Monthly interest payments. Principal due at maturity.  
**Maturity:** 3 years from the closing date of the Loan.

We are pleased to offer this proposal letter for your consideration. If you have any questions or require additional information, please contact me at (515) 222-2334.

Thank you for this opportunity.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Jon Hummel, VP'.

Jon Hummel  
Vice President  
Commercial Banking

# Item 2

**DRAFT**  
**CITY OF WEST DES MOINES**  
**CITY COUNCIL MEETING COMMUNICATION**

**ITEM:** Parental Leave Policy

**DATE:** April 19, 2021

**FINANCIAL IMPACT:** In recent years, the City has seen approximately 5-7 employee leaves taken (FMLA) which were attributable to new parent / maternity situations. It is difficult to estimate the overall financial impact; it will vary in each situation depending on the underlying employee wages and the length of leave requested.

**BACKGROUND:** As the City of West Des Moines seeks to attract and retain high-quality job candidates, we are always evaluating and monitoring employee benefits against other cities. One such benefit is a Parental Leave Policy. To date, the City offers no paid leave for employees following the birth of a child or the placement of a child with an employee in connection with adoption or foster to adopt care.

Maintaining employees following the birth or adoption of a new child can be difficult, especially if new parents are not offered paid time off to bond with their new child. Returning to work can seem daunting in the face of high-priced childcare options. Furthermore, allowing new parents to return to their careers and provide wage replacement for even a portion of their time away, encourages an attachment to the workforce while they are absent.

“For women without access to family PTO or paid New Baby Leave, nearly 30% dropped out of the workforce within a year after giving birth and one in five did not return for over a decade.” ([link](#))

In December 2019, the United States federal government began offering civilian federal employees a paid paternal leave benefit. The law now grants 12 weeks of paid parental leave to those who are eligible.

Other cities in Iowa are following suit: **Des Moines** offers 8 weeks of paid leave for the birth mother and 6 weeks to other parents, **Cedar Rapids** offers 4 weeks, **Dubuque** offers 12 weeks, **Grimes** offers 3 weeks to the birth mother and 2 weeks to other parents, and **Polk City** offers 6 weeks at full rate of pay with an additional 2 weeks at 70% rate. Most of these cities include a longevity restriction – such as being employed for a minimum of 12 months prior.

Paid leave is not merely a recruitment tool but also contributes to employee engagement and retention.

**OUTSTANDING ISSUES** (if any): None

**RECOMMENDATION:** Approve Paid Parental Leave policy as drafted by staff.

**Lead Staff Member:** Tom Hadden, City Manager

**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

**PUBLICATION(S)** (if applicable)

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	Finance & Administration	
Date Reviewed	April 7, 2021	
Recommendation	Yes	No

**DRAFT**  
**Employee Handbook**  
**Section 6 — PAID PARENTAL LEAVE**

**Adoption Date:**

**Most Recent Update:**

**Applicability:**

Regular Full-time, Regular Part-time (See criteria under "Eligibility")

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**Purpose/Objective**

The City of West Des Moines will provide up to four (4) weeks of paid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster to adopt care. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or newly adopted or newly placed to adopt child. This policy will run concurrently with Family and Medical Leave Act (FMLA) leave, as applicable. (See Section 6.10 – FMLA)

**Eligibility**

Eligible employees must meet the following criteria:

- a. Have been employed with the City of West Des Moines and have successfully completed their probationary period.
- b. Be a regular full- time employee
- c. Regular three-quarter and half part time employees will be eligible for a pro-rated leave.
- d. Temporary or seasonal employees and interns are not eligible for this benefit.

In addition, employees must meet one of the following criteria:

- a. Have given birth to a child (which includes surrogacy\*).
- b. Be a spouse or committed partner of a person who has given birth to a child
- c. Have adopted a child or been placed with a foster-to-adopt child (in either case, the child must be age 17 or younger). The adoption of a new spouse's child is excluded from this policy.

\*Surrogate individuals are not eligible for parental leave but may be eligible for other medical leave benefits. Please see medical leave policy for benefits provided to surrogate mothers.

## **Amount, Time Frame, and Duration of Paid Parental Leave**

Eligible employees will receive a maximum of four (4) weeks of paid parental leave per birth, adoption, or placement of child/children. The fact that a multiple birth, adoption, or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the up to four (4) week total amounts of paid parental leave granted for that event. In addition, in no case will an employee receive more than four (4) weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption, or foster-to-adopt care placement event occurs within that 12-month time frame.

Each week of paid parental leave is compensated at 100 percent of the employee's regular, straight-time weekly pay. Paid parental leave will be paid on a biweekly basis on regularly scheduled pay dates. A four-week equivalent will be calculated based on the regular schedule of the employee.

Approved paid parental leave may be taken at any time during the 6-month period immediately following the birth, adoption, or placement of a child with the employee. Paid parental leave may not be used or extended beyond this 6-month time frame.

Employees may take paid parental leave in one continuous period of leave or intermittently with their supervisor's approval and must use all paid parental leave during 6-month time frame indicated above. Any unused paid parental leave will be forfeited at the end of the 6-month time frame.

Upon termination of the individual's employment with the City, the employee will not be paid for any unused paid parental leave for which they were eligible.

## **Coordination with Other Policies**

Paid parental leave taken under this policy will run concurrently with leave under the FMLA; thus, any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth of placement of a child due to adoption or foster to adopt, the leave will be counted toward the 12 weeks of available FMLA leave per a 12-month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave – whether paid or unpaid – granted to the employee under the FMLA exceed 12 weeks during the 12-month FMLA period. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA. (See Section 6.10 – FMLA)

Upon exhaustion of accrued sick, vacation, personal time and parental leave any remaining leave will be unpaid leave. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.

The City will maintain all benefits for the employee during the paid parental leave period just as if they were taking any other City paid leave such as paid vacation leave or paid sick leave.



If a City holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid parental leave entitlement.

### **Requests for Paid Parental Leave**

The employee will provide their supervisor and the Human Resources department with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete the necessary forms and provide all documentation as required by the Human Resources department to substantiate the request.

As is the case with all city policies, the organization has the exclusive right to interpret this policy.

# Item 3

**DRAFT**

## **CITY OF WEST DES MOINES CITY COUNCIL MEETING COMMUNICATION**

**ITEM:** Utilizing Community Development Block Grant (COVID) Grant Funds to Promote Emergency Broadband Benefit Program to Residents **DATE:** April 19, 2021

**FINANCIAL IMPACT:** Total shared cost of \$55,000 up-front for clearinghouse site and approximately \$5,500 per month for three years for on-going website maintenance and back-end support for providers. The City plans to partner with City of Dubuque which reduces the cost to WDM from \$253,000 to a total of \$126,500. The funding source for the project will be a new Community Development Block Grant (CARES ACT) (CDBG-CV); note that this grant represents additional funding beyond the City's typical CDBG grants. The City expects to receive a total CDBG-CV allocation of \$599,769.00.

**BACKGROUND:** When the City spelled out high-speed internet access for all residents in the 203 Plan, it was known that simply providing market rate access to every home and business (at potentially unaffordable price points for some) was not sufficient. The goal is to provide access to all individuals who may not currently receive this service. Staff did not expect a global pandemic to make this goal a top priority, yet with residents' current circumstances, the Federal Government has also recognized the need for affordable access to high-speed internet.

On February 25, 2021, the FCC unanimously voted to establish the Emergency Broadband Benefit (EBB) program. This federal initiative has been funded at \$3.2 billion dollars to help lower the cost of high-speed internet for eligible households during the on-going COVID-19 pandemic.

Staff has researched this opportunity and is proposing to leverage these CDBG funds to create a clearinghouse website for residents so they can determine EBB assistance eligibility and help the selection of a service provider. Any provider including Internet Services Providers or Cellular Providers may become an eligible provider through the FCC directly, with no authorization necessary through the City. Participation in the city's separate conduit network project is unrelated to this program or its offerings to residents.

The EBB program is a nationwide program which offers income-eligible households (see attached fact sheet with income limits) assistance up to \$50/month for broadband services. United States residents can qualify through the FCC and income guidelines are broad.

Also attached is a list of providers currently enrolled in this FCC program. If a WDM resident uses our site and a provider is not listed, the service vendor responsible for administering the site (currently proposed as CGM, LLC) would assist that resident with either (a) finding an eligible provider or (b) contacting the provider to help them become qualified through the FCC.

Staff believes the FCC will begin rolling out this program at the end of the month of April and so would like to be ready to connect West Des Moines residents at that time.

For a list of current providers already licensed by the FCC to participate, please visit: <https://www.fcc.gov/emergency-broadband-benefit-providers#iowa>

**DRAFT**

**OUTSTANDING ISSUES** (if any):

- Use of CDBG dollars for this program collaboration will need to be approved by Iowa Economic Development Authority. Christine Gordon, Housing Coordinator, is currently seeking this approval from the State of Iowa. Should the City be denied the use of these funds, the project would likely not move forward at this time.
- A formal contract with the preferred vendor (CGM, LCC) is being drafted and will need Legal review prior to appearing on Council agenda. CGM, LLC is uniquely qualified and is an agreeable vendor for the City of Dubuque as well.

**RECOMMENDATION:** Recommend approval of the use of CDBG-CV dollars to connect residents to Federal Emergency Broadband Benefit program, pending project approval from Iowa Economic Development Authority.

**Lead Staff Member:** Jamie Letzring, Christine Gordon

**STAFF REVIEWS**

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

**PUBLICATION(S)** (if applicable)

Published In	
Dates(s) Published	

**SUBCOMMITTEE REVIEW** (if applicable)

Committee	Finance & Administration		
Date Reviewed	April 7, 2021		
Recommendation	Yes	No	

## FCC Emergency Broadband Benefit Program Fact Sheet

On February 25<sup>th</sup>, the FCC unanimously adopted a Report and Order that established the Emergency Broadband Benefit Program, a \$3.2 billion federal initiative to help lower the cost of high-speed internet for eligible households during the on-going COVID-19 pandemic. The Emergency Broadband Benefit Program was created by Congress in the Consolidated Appropriations Act of 2021.

The Report and Order along with the rules governing this program can be [found here](#), but below are a few important facts:

### What Is the Benefit?

- Up to \$50/month discount for broadband services;
- Up to \$75/month discount for broadband services for households on Tribal lands; and
- A one-time discount of up to \$100 for a laptop, desktop computer, or tablet purchased through a participating provider.
- The Emergency Broadband Benefit is limited to one monthly service discount and one device discount per eligible household.

### Who Is Eligible for the Emergency Broadband Benefit?

A household is eligible if one member of the household:

- Qualifies for the [Lifeline](#) program, including those who are on Medicaid or receive SNAP benefits;
- Receives benefits under the free and reduced-price school lunch program or the school breakfast program, including through the USDA Community Eligibility Provision, or did so in the 2019-2020 school year;
- Experienced a substantial loss of income since February 29, 2020, and the household had a total income in 2020 below \$99,000 for single filers and \$198,000 for joint filers;
- Received a Federal Pell Grant in the current award year; or
- Meets the eligibility criteria for a participating provider's existing low-income or COVID-19 program.

### When Can Eligible Households Sign Up?

- The FCC expects the Emergency Broadband Benefit program to be open to eligible households before the end of April, 2021. Please check the FCC's website, [www.fcc.gov/broadbandbenefit](http://www.fcc.gov/broadbandbenefit), regularly for the latest information.

### How Will Eligible Households Sign Up?

- Eligible households will enroll through participating broadband providers or directly with the Universal Service Administrative Company (USAC). Please check the FCC's website, [www.fcc.gov/broadbandbenefit](http://www.fcc.gov/broadbandbenefit), regularly for the latest information on the enrollment process.

### What Broadband Providers Will Be Offering the Emergency Broadband Benefit?

- Many types of broadband providers can qualify to provide service in this program.

- The FCC is currently setting up the systems needed for providers to participate.
- Contact information for the providers participating in the program will be posted on USAC's website: <https://www.usac.org/>.

### **Outreach**

- The FCC is excited to partner with those who want to help get the word out about this critical program. Please visit [www.fcc.gov/broadbandbenefit](http://www.fcc.gov/broadbandbenefit) to sign up to receive important updates and information about the Emergency Broadband Benefit program.

CGM, LLC

***Proposal for an EBB Services Clearinghouse to the Cities of West Des Moines and Dubuque Iowa.***

**Company Background:** CGM, LLC is a twenty-four-year-old Roswell, Georgia based software development firm. We're product-driven and deliver Lifeline enrollment services and compliance support expertise to wireless service providers. Our client base accounts for the majority of the US Lifeline market. Approximately 75% of the nation's 8M monthly Lifeline service transactions cross our service platform. We spend a great deal of time in the regulatory arena advocating for and providing input to advances in low-income centric telecom regulation, process enhancement and outreach. Our operating platform is fully SOC2 compliant.

**Project Background:** The FCC has been tasked with establishing and managing a new Federal relief program designed to provide high speed, broadband internet access to lower income households, to help bridge the homework gap, drive workforce efficiency, and ensure family safety during the Covid 19 pandemic. The \$3.2B Emergency Broadband Benefit (EBB) program will provide \$50 per month of subsidized broadband access per household, which is expected to deliver 20 to 50 Gig of access depending on the carrier. There is also a subsidy element of up to \$100 available to underwrite the cost of equipment (tablet, laptop, etc.) associated with accessing the service.

Expectations are that service providers will commence offering EBB-subsidized services by 5/1, as the Universal Service Administration Company (USAC), which will be overseeing daily operation of the program, is currently finalizing methods and procedures to support eligibility determination and enroll applicants. By definition, the EBB is a temporary, short-term program. When the funding runs out, the program will be over. Conventional wisdom expects the funding to last for 6 to 9 months. It also holds out hope that the success of the program will drive lawmakers to adopt a sustainable method of continuing to fund the broadband service provided to EBB households.

**Lifeline Program:** There is direct linkage between the federal Lifeline Program (\$9.25/month/low-income household) and the EBB. An eligible household will be able to take advantage of both programs simultaneously, resulting in what is expected to be a broadband package that delivers the 20 to 50 Gig of high-speed internet access in addition to a wireless smartphone with unlimited talk and text each month. Lifeline Service providers are expected to be a significant conveyer of the EBB-subsidized services. Many are designated to provide service in Iowa but had been forced to significantly reduce their offerings and advertising in the state due to annually increasing minimum service standards. The additional funding provided by the EBB will change that and is expected to drive a more active "Lifeline+EBB" market in Iowa.

Q. What can local municipalities do to leverage the EBB opportunity to drive digital equity in their communities?

A. Gain confirmation that investment in the infrastructure and operating costs of the following solution would qualify as "authorized uses" of CDBG program. If successful, leverage those funds to drive consumer awareness of the EBB opportunity and more directly assist eligible, underserved members of the community through the program enrollment process.

**Proposal:** CGM proposes to build a web-based EBB clearinghouse for the cities of West Des Moines and Dubuque. A website dedicated to each city would carry the seal of the city and help eligible, low-income applicants browse through the offerings of EBB service providers (National wireless carriers, regional wireless resellers, cable companies, etc.) based on a home address entered. It's envisioned that introduction to the site would be through notices sent from city departments to their eligible community members, and would also take place during real-time, face-to-face or virtual engagements that occur on a daily basis between city volunteers and eligible community members.

Upon entry of their home address, an applicant would be presented with EBB and Lifeline+EBB service offerings in their area. A click on any one of the service offerings would then take the applicant to the carrier's website, where the applicant would be taken through that carrier's enrollment process. Upon successful enrollment the subscriber would be mailed their device choice (smartphone, hot spot, tablet, etc.) and would activate the service to initiate the benefit. We've reached out to the top eight lifeline providers in Iowa and expect many of them to participate in the clearinghouse.

The following wire frames provide a concept of the landing page and the service options page.

***Landing Page: Includes welcome message, description of opportunity and address-request box. Auto complete and geo-coding intelligence will check network services map for each provider. Service Provider Registry will allow EBB approved providers to register their available service offerings directly to the site. Help button will address FAQs and Chat buttons will be manned by CGM personnel to assist applicants navigate the site and the opportunity.***





https://broadband.iowa.gov



Home

About

Service Provider Registry

Help

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Autocomplete ?

255 kellys |



255 Kellys Bluff St, Dubuque, IA 52001

Search

-Address Auto  
Complete  
-Address  
GeoCoding



*Service Options Page: Will provide comparison matrix of available EBB service packages and link to each carrier's EBB/Lifeline enrollment website.*

A Web Page

https://broadband.iowa.gov

THE GREAT SEAL OF THE STATE OF IOWA

Home About Service Provider Registry Help

Available Broadband Service at: 255 Kellys Bluff St, Dubuque, IA, 52001-7346

Name	enTouch	Comcast	Google	T-Mobile
Data	22GB	75GB	75GB	20GB
Voice	Unlimited	N/A	N/A	500 Minutes
Text	Unlimited	N/A	N/A	500
	Apply Now	Apply Now	Apply Now	Apply Now

Return available service based on address Geo Coding.

CHAT NOW

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Additional Functionality: The sites would be created with an architecture that would allow for streamlined inclusion of other broadband-related government support programs and news/notification messaging to site visitors. It would also be able to support the processing of a city or private subsidy if EBB funding were to terminate permanently. Site activity reporting would include incoming visitor counts, referrals made by service provider, duration of visit.

**Cost and Interval:** The goal would be to have basic functionality in place as close to the 5/1, expected rollout date as possible, with secondary features to follow. We'd conduct a full functionality interview with each city prior to establishing a final design, project scope and price. There would be two components to our pricing, a one-time charge to develop and deliver the full functionality of the clearinghouse (not to exceed \$110,000), and a monthly management and maintenance charge (estimated at \$10,000 to \$12,000) for which we'd request a three-year commitment. These fees would be split between the two cities and would cover service provider management, applicant customer service and chat support, and ongoing website management. CGM would assist in the development of clearinghouse messaging and website language, email texts and handouts/flyers and would lead a handful of tutorials to explain the purpose and use of the service to city personnel.

We look forward to discussing this proposal further at the cities' convenience.

Thank you,

Chuck Campbell  
Partner  
CGM, LLC  
770.843-0089

# Item 4

**From:** GFOA Member Alert <announcements@gfoa.org>  
**Sent:** Thursday, March 25, 2021 7:02 AM  
**To:** Stiles, Tim  
**Subject:** [EXT] American Rescue Plan Spending

Guiding Principles for ARPA Funding

# MEMBER ALERT

## FROM GFOA'S FEDERAL LIAISON

### American Rescue Plan Spending: Recommended Guiding Principles

Signed into law on March 11, 2021, [The American Rescue Plan Act of 2021](#) (“ARPA”) provides \$350 billion in additional funding for state and local governments. [Please click here for GFOA’s analysis of ARPA](#). The state funding portion is approximately \$195 billion with \$25.5 billion distributed equally among the 50 states and the District of Columbia and the remaining amount distributed according to a formula based on unemployment.

The local funding portion is approximately \$130 billion, equally divided between cities and counties. Localities will receive the funds in two tranches—the first after the U.S. Treasury certifies the proceeds to each jurisdiction and the second one year later.

**For cities**, \$65 billion is divided between jurisdictions that are Community Development Block Grant (CDBG) entitlement jurisdictions and those that are not. \$45.5 billion of the \$65 billion will be allocated to metropolitan cities utilizing a modified CDBG formula, and the remaining amount for jurisdictions that are non-entitlement CDBG, will be allocated according to population. For the non-entitlement jurisdictions, the amount will not exceed seventy- five percent of their most recent budget as of January 27, 2020. Additionally, non-entitlement jurisdictions proceeds will be allocated through the state for redistribution to local governments.

**For counties**, the \$65 billion will be allocated based on the county’s population. Counties that are CDBG recipients will receive the larger of the population or CDBG-based formula.

**Eligible uses of these funds include:**

- Revenue replacement for the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency, relative to revenues collected in the most recent fiscal year prior to the emergency,
- COVID-19 expenditures or negative economic impacts of COVID-19, including assistance to small businesses, households, and hard-hit industries, and economic recovery,
- Premium pay for essential workers,
- Investments in water, sewer, and broadband infrastructure.

**Restrictions on the uses of these funds include:**

- Funds allocated to states cannot be used to directly or indirectly to offset tax reductions or delay a tax or tax increase;
- Funds cannot be deposited into any pension fund.

Funding must be spent by the end of calendar year 2024.

As with previous COVID-19 relief packages, implementation will be an extensive process as new or updated guidance and FAQs are developed and released by the [U.S. Treasury](#). For example, the legislation requires each jurisdiction’s executive to “certify” that the funds will be used for eligible purposes. That process is currently under development by the U.S. Treasury.

GFOA will provide regular updates as information becomes available. If you have specific questions or need clarification, GFOA has launched an [online portal](#) to gather member questions to help shape engagement and solicit answers from the Administration.

For many jurisdictions, the funding provided under ARPA is substantial and could be transformational for states and local governments in their pandemic rescue and recovery efforts. Elected leaders will need to decide how to best use the additional funding consistent with the ARPA requirements, which are very broad. Finance officers play a critical role in advising elected leaders on the prudent spending of moneys received under ARPA. *Finance officers are best positioned to help ensure the long-term value of investments and financial stability of its government using this one-time infusion of resources.* When considering how to best advise elected officials and plan for the prudent use of ARPA funds, we offer the following outline of Guiding Principles for the use of ARPA funds:

**GFOA American Rescue Plan Act Guiding Principles**

*Temporary Nature of ARPA Funds.* ARPA funds are non-recurring so their use should be applied primarily to non-recurring expenditures.

- Care should be taken to avoid creating new programs or add-ons to existing programs that require an ongoing financial commitment.

- Replenishing reserves used to offset revenue declines during the pandemic should be given high priority to rebuild financial flexibility/stability and restore fiscal resiliency.
- Use of ARPA funds to cover operating deficits caused by COVID-19 should be considered temporary and additional budget restraint may be necessary to achieve/maintain structural balance in future budgets.
- Investment in critical infrastructure is particularly well suited use of ARPA funds because it is a non-recurring expenditure that can be targeted to strategically important long-term assets that provide benefits over many years. However, care should be taken to assess any on-going operating costs that may be associated with the project.

ARPA Scanning and Partnering Efforts. State and local jurisdictions should be aware of plans for ARPA funding throughout their communities.

- Local jurisdictions should be cognizant of state-level ARPA efforts, especially regarding infrastructure, potential enhancements of state funding resources, and existing or new state law requirements.
- Consider regional initiatives, including partnering with other ARPA recipients. It is possible there are many beneficiaries of ARPA funding within your community, such as schools, transportation agencies and local economic development authorities. Be sure to understand what they are planning and augment their efforts; alternatively, creating cooperative spending plans to enhance the structural financial condition of your community.

Take Time and Careful Consideration. ARPA funds will be issued in two tranches to local governments. Throughout the years of outlays, and until the end of calendar year 2024, consider how the funds may be used to address rescue efforts and lead to recovery.

- Use other dedicated grants and programs first whenever possible and save ARPA funds for priorities not eligible for other federal and state assistance programs.
- Whenever possible, expenditures related to the ARPA funding should be spread over the qualifying period (through December 31, 2024) to enhance budgetary and financial stability.
- Adequate time should be taken to carefully consider all alternatives for the prudent use of ARPA funding prior to committing the resources to ensure the best use of the temporary funding.

The influx of funds will undoubtedly benefit state and local finances, and aid in the recovery from the budgetary, economic, and financial impacts of the pandemic. Rating agencies will evaluate a government's use of the ARPA funds in formulating its credit opinion and, importantly, will consider your government's level of reserves and structural budget balance, or efforts to return to structural balance, as part of their credit analysis. Finance officers will play a critical role in highlighting the need to use ARPA funds prudently with an eye towards long-term financial stability and sustainable operating performance. The funding provided under ARPA provides a unique opportunity for state and local governments to make strategic investments in long-lived

assets, rebuild reserves to enhance financial stability, and cover temporary operating shortfalls until economic conditions and operations normalize.



Government Finance Officers Association of the United States & Canada  
203 N. LaSalle Street - Suite 2700 | Chicago, IL 60601-1210  
Phone: (312) 977-9700 - Fax: (312) 977-4806



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days after the date of enactment of this section.

**“(c) REQUIREMENTS.—**

**“(1) USE OF FUNDS.—**Subject to paragraph (2), and except as provided in paragraph (3), a State, territory, or Tribal government shall only use the funds provided under a payment made under this section, or transferred pursuant to section 603(c)(4), to cover costs incurred by the State, territory, or Tribal government, by December 31, 2024—

**“(A)** to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

**“(B)** to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the State, territory, or Tribal government that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

**“(C)** for the provision of government services to the extent of the reduction in revenue of such State, territory, or Tribal government due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the State, territory, or Tribal government prior to the emergency; or

**“(D)** to make necessary investments in water, sewer, or broadband infrastructure.

**“(2) FURTHER RESTRICTION ON USE OF FUNDS.—**

**“(A) IN GENERAL.—**A State or territory shall not use the funds provided under this section or transferred pursuant to section 603(c)(4) to either directly or indirectly offset a reduction in the net tax revenue of such State or territory resulting from a change in law, regulation, or administrative interpretation during the covered period that reduces any tax (by providing for a reduction in a rate, a rebate, a deduction, a credit, or otherwise) or delays the imposition of any tax or tax increase.

**“(B) PENSION FUNDS.—**No State or territory may use funds made available under this section for deposit into any pension fund.

**“(3) TRANSFER AUTHORITY.—**A State, territory, or Tribal government receiving a payment from funds made available under this section may transfer funds to a private nonprofit organization (as that term is defined in paragraph (17) of section 401 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(17)), a Tribal organization (as that term is defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), a public benefit corporation involved in the transportation of passengers or cargo, or a special-purpose unit of State or local government.

### Summary of Legislation

<b>Category A</b>	<b>Bolster Economic Recovery</b>	Direct assistance to households, small businesses, non-profits, and impacted industries such as
<b>Category B</b>	<b>Provide Premium Pay</b>	Additional pay to employees performing essential work during the public health emergency
<b>Category C</b>	<b>Offset Revenue Losses</b>	Recover revenue which was reduced due the public health emergency, relative to the the level
<b>Category D</b>	<b>Invest In Infrastrucure</b>	Make necessary investments in water, sewer, and/or broadband infrastructure

### Summary of Staff Recommendations

<b>Backfill Reduced Local Option Sales Tax Revenue (Fund 490)</b>	2,000,000.00	Will enable city to re-establish 50/50 split dictated by ballot language
<b>Backfill Rec Plex Reduced Revenue (Fund 692)</b>	750,000.00	
<b>Backfill Rec Plex Construction Shortfall (Fund 692)</b>	2,000,000.00	Had estimated \$1.07 million Revenue
<b>Provide Reserve to Offset Future Valuation Reductions (Fund 100)</b>	1,000,000.00	
<b>Provide Assistance to DMU Clinic through Rent Reduction (Fund 692)</b>	120,000.00	
<b>Provide Assistance to Non-Profits (Qualified Hotel/Motel)</b>	-	Considered
<b>Provide Premium Pay to Cirtical Employees</b>	-	Considered
<b>Assist with Broadband or other Infrastructure Construction Project(s)</b>	2,280,000.00	
Total WDM Award	<b>8,150,000.00</b>	

# Item 5

## Stiles, Tim

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**From:** Hadden, Tom  
**Sent:** Monday, March 29, 2021 12:49 PM  
**To:** Dept\_Heads  
**Subject:** FW: [EXT] FW: Rep. Axne - Call for Community Funding Projects  
**Attachments:** Axne PCF Resource Guide.pdf

**Importance:** High

Please review and let CMO know if there are any projects we can move forward, thanks.

### Tom Hadden

City Manager  
4200 Mills Civic Parkway  
West Des Moines, Iowa 50265-0320  
Direct Line: 515-222-3612

---

**From:** Dylan Mullenix <dmullenix@dmampo.org>  
**Sent:** Monday, March 29, 2021 9:49 AM  
**To:** 2021 Policy Committee <2021PolicyCommittee@dmampo.org>; 2021 TTC <2021TTC@dmampo.org>  
**Cc:** rwaller@indianolaiowa.gov; ajohnson@urbandale.org; bchamp@pleasanthilliowa.org; chuisman@polkcityia.gov; djones@ankenyiowa.gov; ddurham@windsorheights.org; dmarkley@carlisleiowa.org; janderson@grimesiowa.gov; jmark@altoona-iowa.com; jsanders@cityofjohnston.com; kmichel@vanmeteria.gov; lnelson@norwalk.iowa.gov; moliver <moliver@cityofbondurant.com>; mmcquillen@cityofclive.com; sesanders@dmgov.org; tammi.dillavou@mitchellville.org; tmoerman@waukee.org; Hadden, Tom <tom.hadden@wdm.iowa.gov>; R. Todd Ashby <tashby@dmampo.org>; Zach Young <zyoung@dmampo.org>  
**Subject:** [EXT] FW: Rep. Axne - Call for Community Funding Projects  
**Importance:** High

MPO Representatives,

As you may have heard, the US House of Representatives has agreed to allow "Community Funding Projects", formerly known as earmarks, for upcoming appropriations bills. This includes transportation projects for consideration in the upcoming surface transportation reauthorization bill. Additional background [can be found in this article](#). Note that funding is limited, with each House member only allowed to submit a total of 10 projects from their district for consideration.

Late last week, Representative Axne's office announced the process by which they will accept project requests from communities. More information about that process can be found in the email below and in the attached resource guide. Note that while this includes transportation projects, there are other funding programs that also may be of interest to your communities.

A few key points to highlight:

- Projects must be submitted via the [online form](#) by April 16<sup>th</sup>
- They recommend the submission of smaller projects and those that have wide community support
- Transportation projects must be in the MPO's Transportation Improvement Program (TIP)
- There is no guarantee that projects submitted to Rep. Axne will be among the 10 she submits from her district
- Please notify MPO staff if you submit a transportation project through this process, as Rep. Axne's staff may reach out to us for additional information.

At this point only the House has moved forward with the return of earmarks, though indications are the Senate may soon follow. We will keep you apprised as new information becomes available. Should you need anything from the MPO as you consider making requests, please let us know.

Regards,



Dylan Mullenix, AICP | Assistant Director  
Des Moines Area Metropolitan Planning Organization  
420 Watson Powell Jr. Parkway, Suite 200, Des Moines, IA 50309  
o: 515.334.0075 | e: dmullenix@dmampo.org  
[website](#) | [facebook](#) | [twitter](#) | [Linkedin](#)

From: **Fleming, Denise** <[Denise.Fleming@mail.house.gov](mailto:Denise.Fleming@mail.house.gov)>  
Date: Fri, Mar 26, 2021 at 10:26 AM  
Subject: Rep. Axne - Call for Community Funding Projects  
To:

Good Moring Iowa!

Rep. Axne is seeking your project requests for Fiscal Year 2022, **Community Funding Projects**.

This years, Rep. Axne will be able to submit specifically targeted requests for funding of projects within Iowa's 3<sup>rd</sup> District. Community Projects will be awarded funding that addresses the most significant needs facing our communities. Only state, local, and tribal governments, publicly owned entities and certain non-profit entities with a quasi-government purpose are eligible to request Community Project Funding; **for-profits are not eligible**.

Congresswoman Cindy Axne is urging you and your organization – if you have a funding need – to submit that project for consideration. Our office is reaching out to you to see if you have programs or projects that may be eligible.

There are only 30 funding accounts that offer funding, and each project must be able to meet the require of one of these programs. Attached is a list of these programs, including a general description of qualifications. If you believe you have a project that could benefit, we encourage you to apply. Only 10 project requests may be submitted by Rep. Axne – so there is no guarantee that projects will be accepted and funded. Due to funding limits, smaller projects and projects which can show wide community support are more likely to be successful.

If you represent a qualifying organization, Rep. Axne would like to hear from you. If you or your organization would like to receive consideration for federal funding, [fill out a form here](#). All projects must be submitted to

our office by April 16<sup>th</sup> to be considered. If your project is able to meet the criteria and is determined to meet the most significant needs of the Third Congressional District, our office will follow up with you.

If you have questions about the process or eligibility, please reach out to me.

Respectfully,

Denise Fleming

Legislative Director

Congresswoman Cindy Axne (IA-03)

Cell: (202) 336-3614

--

Bill

Bill Menner  
IRHA Executive Director  
641-990-4757

---

You're receiving this message because you're a member of the Iowa Rural Development Council group from [iowardc.org](http://iowardc.org).  
To take part in this conversation, reply all to this message.

[View group files](#) | [Leave group](#) | [Learn more about Microsoft 365 Groups](#)



# **Community Project Funding Resource Guide**

Updated: March 2021



Dear Friend,

I am excited to share with you the resource guide on how folks in Iowa's Third Congressional District can apply for Community Project Funding through the congressional appropriations process.

Community Projects are direct investments in central and southwest Iowa that will improve our everyday lives. My office and I are committed to creating a fair and transparent process that benefits every part of Iowa's Third Congressional District.

In this Community Project Funding guide, you will find explanations of the project application process, an outline of the required information, relevant deadlines for submission, and contact information for my staff in case you have questions. You will also find additional information on federal funding.

Since my first day in office, I have been committed to bettering the lives of everyone in Iowa's Third Congressional District – and that's precisely what supporting these Community Projects will do. Our team is excited to hear your recommendations for projects that fit our criteria by: meeting a clear and present need in the community, being administered by local government or eligible nonprofit organizations, and enjoying significant support from community stakeholders.

During this process, please keep in mind that my office will be receiving and reviewing more requests for Community Projects than can be supported. That is why it is extremely important that every project applicant also pursue other federal, state, or local funding opportunities where applicable. As you review this resource guide, please remember that my team is standing by to support you, and to answer any questions that you may have. We look forward to working with you to bring important resources to Iowa's Third Congressional District.

Sincerely,

A handwritten signature in blue ink that reads "Cindy Axne".

Cindy Axne



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## *Community Project Funding Submission Links*

Please submit all **FY 2022 Community Project Funding requests** through my office's form at [https://docs.google.com/forms/d/e/1FAIpQLSck-rTyvPJiavk-faUXZi7jtCGvESkOfvcmZ4DC4LYfgHTYSg/viewform?usp=sf\\_link](https://docs.google.com/forms/d/e/1FAIpQLSck-rTyvPJiavk-faUXZi7jtCGvESkOfvcmZ4DC4LYfgHTYSg/viewform?usp=sf_link)

- ***The deadline to submit a Community Project Funding request is April 16th, 2021.***

### *Staff Contact List*

For specific questions about the process or your request, please reach out to my staff directly:

- Joe Diver, Chief of Staff
  - [Joseph.Diver@mail.house.gov](mailto:Joseph.Diver@mail.house.gov)
- Denise Fleming, Legislative Director
  - [Denise.Fleming@mail.house.gov](mailto:Denise.Fleming@mail.house.gov)
- Kaitryn Patchett, District Director
  - [Kaitryn.Patchett@mail.house.gov](mailto:Kaitryn.Patchett@mail.house.gov)

## Overview of the Community Project Funding Process

For the first time in a decade, the House Appropriations Committee will be accepting Community Project Funding requests for Fiscal Year 2022. These requests will be funded through numerous federal funding bills.

First, you should know at the outset that my team and I expect to receive hundreds of requests for project funding. And while it's my goal to help fund as many projects as possible, Members of Congress can only submit ten requests to fund Community Projects – and we cannot guarantee what will ultimately be funded.

Second, it is important that any request you make satisfies **every** requirement laid out by the House Appropriations Committee. Most importantly, each request must include demonstrated community support. You will be required to submit evidence of that community support, including (but not limited to):

- Letters of support from elected community leaders
- Press articles highlighting the need for the specific project
- Resolutions passed by local/county/state governments
- Projects listed on community development plans, state intended use plans, and other publicly available planning documents
- Support from local newspaper or editorial boards, etc.

Additional requirements are listed below:

- A financial disclosure statement from myself – certifying that neither my immediate family nor I have any financial interest in the proposed project – is required.
- No funds may be used by for-profit recipients.
- Matching funds must be available for each project from the state and/or local government. (Matching funding does NOT have to be in-hand, but officials must have a funding plan in place in order to meet this requirement).
- Each project must only be funded for FY 2022.

In the interest of transparency, all Members are required to post all Community Project Funding requests submitted to the committee on their website. The posting must include the name of the proposed recipient, their address, the amount of the request, and an explanation of the purpose and justification for the use of taxpayer funds.

## Community Project Funding Eligible Accounts

### **Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies**

#### Department of Agriculture

##### Community Facilities Grants

These grants are used to purchase, construct, or improve essential community facilities, to purchase needed equipment, and to pay other related project expenses. Essential community facilities include, but are not limited to: healthcare facilities, public facilities, public safety measures, educational services, or other community support services. Examples of eligible projects include: medical or dental clinics, town halls, courthouses, childcare centers, police or fire departments, public works vehicles, or distance learning equipment. Any project must serve a rural area as specified in 7 CFR 3570.53, and the Member's request must demonstrate community support. Such requests are also subject to the maximum grant assistance limitations specified in 7 CFR 3570.63(b).

Community Facilities Grants generally cannot be used to pay initial operating expenses or annual recurring expenses, refinance existing debt, pay interest, build or repair facilities in non-rural areas, or pay for construction costs of facilities that will be used for commercial rental space.

##### ReConnect Program

ReConnect broadband pilot grants facilitate broadband deployment in rural areas. Grant funding can be used for the costs of construction, improvement, or acquisition of facilities and equipment needed to provide broadband service to rural areas without sufficient broadband access, which is defined as 10 Mbps downstream and 1 Mbps upstream.

The area must be rural and lack sufficient access to broadband service. A rural area is any area not located within: (1) a city, town, or incorporated area that has a population of greater than 20,000 inhabitants; or (2) an urbanized area contiguous and adjacent to a city or town that has a population of greater than 50,000 inhabitants. "Sufficient access" to broadband is defined as greater than 90% of any rural area in which households have fixed, terrestrial broadband service delivering at least 10 Mbps downstream and 1 Mbps upstream. Mobile and satellite services will not be considered in making the determination of sufficient access to broadband.

Stand-alone, middle-mile projects are not eligible under the ReConnect Program. However, middle-mile facilities are eligible if they are needed to bring sufficient broadband service to all premises in the area. It is strongly recommended that Community Project Funding requests include specific information, such as: the number of households, businesses, or farms that would be served in the area; what the performance of the service to be offered would be; and whether healthcare or educational facilities would be served.

## Agricultural Research Service, Buildings, and Facilities

The Agricultural Research Service (ARS) owns and operates laboratories and facilities across the United States. Many of these laboratories/facilities are decades old, have outlived their functional lifespan, and are badly in need of major repairs, renovation, or replacement. Facility requests must be for ARS-owned facilities or for facilities that will enhance ongoing ARS work. Requests can assist in the acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fix equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture. It is strongly encouraged that Community Project Funding requests include details on the research to be conducted, why the research is a high priority, as well as details on modernization needs, and why it is critical in carrying out the research. For more information, please visit:

<https://www.ars.usda.gov/about-ars/>

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## ***Subcommittee on Commerce, Justice, and Related Agencies***

### ***Department of Justice***

#### State and Local Law Enforcement Assistance - Byrne Justice Assistance Grant (JAG)

Byrne JAG Grants assist state, local, and tribal law enforcement efforts to prevent crime, improve the criminal justice system, and provide victims' services and other related activities. Community Projects funded under this category must comply with the requirements cited in JAG statutes and be consistent with U.S. Department of Justice guidance for the program. Below are website links to the Department's guidance and frequently asked questions regarding Byrne-JAG:

<https://bja.ojp.gov/program/jag/overview>

<https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/jag-faqs.pdf>

The House Appropriations Committee encourages community project funding designed to help improve police-community relations. Historically, the House Appropriations Committee has not funded vehicles or building construction or renovation as part of community project funding under this account.

#### Community Oriented Policing Services (COPS) - Technology and Equipment

Funding will be provided for Community Project grants for state, local, and tribal law enforcement to develop and acquire effective technologies and interoperable communications that assist in investigating, responding to, and preventing crime, provided that such equipment meets the applicable requirements of the National Institute of Standards and Technology (NIST) Office of Law Enforcement Standards (OLES).

This funding will allow recipients the opportunity to establish and enhance any of a variety of technical equipment and/or programs to encourage the continuation and enhancement of

community policing efforts within their jurisdictions. These projects should help improve police effectiveness and the flow of information among law enforcement agencies, local government service providers, and the communities they serve.

Historically, the Committee has not funded vehicles or building construction or renovation as part of community project funding under this account. Recipients of community project funding under this account may *not* subgrant to other organizations or agencies.

### *Department of Commerce*

#### National Oceanic and Atmospheric Administration (NOAA), Operations, Research, and Facilities

Community project funding for NOAA will only be considered within the Operations, Research, and Facilities account. This account does not fund construction projects, and as such, any such requests will not be considered. Requests for funding will be considered for research, demonstration, or education projects performed by external partners or for prioritizing NOAA internal funds for geographically specific projects. Any such project must be aligned with NOAA's mission and within their existing authorities.

Neither the National Weather Service nor the Office of Marine and Aviation Operations are eligible for Community Project Funding requests.

Coastal Zone Management funds are distributed to states on a formula basis and will not be considered for Community Project funding.

Historically, the Committee has not funded vehicles or building construction or renovation as part of Community Project funding under this account.

### *National Aeronautics and Space Administration (NASA)*

#### NASA Safety, Security, and Mission Services

Funding must be for activities consistent with and supportive of the work of NASA's mission directorates and within the agency's authorities, such as STEM education activities and scientific research. Funding for building construction or renovation projects will *not* be considered for Community Project funding.



## ***Subcommittee on Energy and Water Development and Related Agencies***

The subcommittee will only consider requests in the following accounts:

U.S. Army Corps of Engineers

- Investigations
- Construction
- Mississippi River and Tributaries
- Operation and Maintenance

U.S. Bureau of Reclamation

- Water and Related Resources

All requests for the Corps of Engineers (Corps) and the Bureau of Reclamation (Reclamation) accounts listed above should reflect a funding amount that can be realistically utilized in Fiscal Year 2022. It is possible that approved Community Project Funding requests will be funded at a level lower than the requested level. Requestors are encouraged to keep in mind that only a very limited number of new start projects will be considered, if any, in the Investigations, Construction, and Mississippi River and Tributaries accounts. Similarly, requestors are encouraged to keep in mind that only a very limited number of Environmental Infrastructure projects, if any, will be considered in the Construction account. A very limited number of Continuing Authorities Program projects will be considered in the Construction account. Projects authorized under sections 4007, 4009(a), and 4009(c) of the Water Infrastructure Improvements Act for the Nation (WIIN) Act of 2016 (Public Law 114-322) will not be accepted.

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## ***Subcommittee on Financial Services and General Government***

The subcommittee will only be considering requests for the Small Business Initiatives account within the U.S. Small Business Administration (SBA). This account provides funds for initiatives related to small business development and entrepreneurship, including programmatic and construction activities.

## ***Subcommittee on Homeland Security***

### **Department of Homeland Security**

#### Pre-Disaster Mitigation Projects

Only projects that meet the requirements detailed in the most recent Notice of Funding Opportunity for the Building Resilient Infrastructure and Communities (BRIC) grant program will be considered for funding, including the cost-share requirement and environmental and historic preservation requirements, as applicable. For any projects designated for funding in the final fiscal year 2022 Homeland Security Appropriations Act, the state agency responsible for administering mitigation grants in the requestor's state must submit an application to the Federal Emergency Management Agency (FEMA), and that entity will serve as the administrative agent for the grant. Therefore, all project proposals must be accompanied by a letter of support from the appropriate state agency affirming that it believes the project is eligible.

#### Nonprofit Security Grant Program Projects

Only projects that meet the requirements detailed in the most recent Notice of Funding Opportunity and the Preparedness Grants Manual for the Nonprofit Security Grant Program (NSGP) will be considered for funding. For any projects designated for funding in the final fiscal year 2022 Homeland Security Appropriations Act, the respective state administrative agency (SAA) must submit an application to the Federal Emergency Management Agency (FEMA), and the SAA will serve as the administrative agent for the grant. Therefore, all project proposals must be accompanied by a letter of support from the appropriate SAA affirming that it believes the project is eligible.

#### Emergency Operations Center Grant Program

Only projects that meet the requirements detailed in the most recent Notice of Funding Opportunity for the Emergency Operations Center Grant Program, including the cost-share requirement and environmental and historic preservation requirements, as applicable, will be considered for funding. For any projects designated for funding in the final fiscal year 2022 Homeland Security Appropriations Act, the respective state administrative agency (SAA) must submit an application to the Federal Emergency Management Agency (FEMA), and that agency will serve as the administrative agent for the grant. Therefore, all project proposals must be accompanied by a letter of support from the appropriate SSA affirming that it believes the project is eligible.

## ***Subcommittee on Interior, Environment, and Related Agencies***

### **Department of the Interior**

#### Land Acquisition through the Land and Water Conservation Fund

Federal acquisition of lands and water and interests therein must be for the purpose of land and habitat conservation and the encouragement of outdoor recreation, as established by the Land and Water Conservation Fund (LWCF) Act of 1965. Land acquisition project requests funded from the LWCF should be requested through the agency that would manage the land being acquired. The four land management agencies are: (within the Department of the Interior) (1) the Bureau of Land Management, (2) the Fish and Wildlife Service, (3) the National Park Service; and (4) (within the Department of Agriculture) the Forest Service.

Third party organizations (i.e., The Nature Conservancy, Trust for Public Land, etc.) frequently participate in the federal acquisition process by coordinating the negotiation and purchase of tracts. If the project you are requesting involves a third-party organization, please be mindful that funding for a land acquisition project goes to the agency that will manage the land.

The Great American Outdoors Act of (Public Law 116-152) and the Consolidated Appropriations Act, 2021 (Public Law 116-260) mandate that the President submit, along with the upcoming fiscal year's budget request, proposed and supplemental project lists. The Committee will look favorably upon requests for projects that appear in either of these lists. When submitting your request, please indicate whether the project is on these lists.

### **Environmental Protection Agency**

#### State and Tribal Assistance Grants (STAG)

The vast majority of requests made to the Interior Subcommittee are for STAG infrastructure grants. These grants fund local wastewater and drinking water infrastructure projects. This includes construction of and modifications to municipal sewage treatment plants and drinking water treatment plants. In line with past practice, the Committee will be limiting STAG infrastructure grants only to projects that are publicly-owned or owned by a non-profit entity, and that are otherwise eligible for the funding from that state's Clean Water or Drinking Water State Revolving Funds (SRF) loan programs. Privately-owned projects are NOT eligible for infrastructure grants, even if they are otherwise eligible for assistance under a SRF program. The Committee will look favorably upon requests for projects that are listed on a state's most recent Intended Use Plan.

There is a minimum 20% cost share requirement for any portion of a project funded through a STAG infrastructure grant. For example, a \$1 million project could receive a maximum of \$800,000 from the federal government, with the remaining \$200,000 remaining the responsibility of the grantee. In

almost all cases, other federal funds cannot be used to meet this 20% cost share. The ability to fund the 20% cost share is required before EPA can award a STAG grant. Please note that only the non-federal portion of assistance provided by a SRF can be applied towards a project's matching requirement.

STAG projects have very specific eligibility requirements, and the Committee will not consider projects that do not meet those requirements.

Projects that generally **ARE NOT** eligible for STAG Grants include:

*Clean Water/Wastewater*

1. Land (except for projects described in the subsequent table under eligibility #11)
2. Operations and maintenance costs
3. Non-Municipal point source control
4. Acid rain drainage correction
5. Ambient Water quality monitoring
6. Flood control projects (unless the project is otherwise managing, reducing, treating, or recapturing stormwater)
7. Privately owned sewer pipes

*Drinking Water*

1. Dams or rehabilitation of dams
2. Operations and maintenance costs
3. Water Rights (except if the water rights are owned by a system that is being purchased through consolidation as part of a capacity development strategy, or if the water rights purchase is covered by EPA's DWSRF Class Deviation for Water Rights 2019)
4. Reservoirs (except for finished water reservoirs and those reservoirs that are part of the treatment process, and are located on the property where the treatment facility is located)
5. Laboratory Fees for Monitoring)
6. Projects needed mainly for fire protection
7. Projects for systems that lack adequate technical, managerial, and financial capability (unless assistance will ensure compliance)
8. Projects for systems in significant noncompliance (unless funding will ensure compliance)
9. Projects primarily intended to serve future growth

Projects that generally **ARE** eligible for STAG Grants:

*Clean Water/Wastewater*

1. Wastewater treatment plants, including sludge handling facilities – new, upgraded (increase in treatment level), or expanded (increase in treatment capacity) facilities, including biological facilities, mechanical, a lagoon system, a land treatment system, or individual on-site systems.

2. Collector Sewers – Small sewers that convey wastewater from residences, commercial establishments, and industrial sites to larger interceptor sewers.
3. Interceptor Sewers – Large sewers that convey wastewater from collector sewers directly to a wastewater treatment facility.
4. Sewer Pipes – Rehabilitation is eligible only if pipes are publicly owned.
5. Outfall Sewer – A sewer that conveys treated wastewater from a wastewater treatment facility to the receiving waters (i.e., a river, stream, lake, ocean, etc.).
6. Stormwater Management – Measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water (i.e., storm sewers, green infrastructure, etc.).
7. Combined sewer overflow (CSO) control and sanitary sewer overflow (SSO) control – Combined sewers are sewers that convey both wastewater and stormwater which may overflow during periods of heavy rain. The costs to correct CSO and SSO overflow problems are eligible.
8. Infiltration/Inflow Correction – Construction activities that prevent surface water or groundwater from entering the sewer system.
9. Water Security – These projects include installation or upgrade of physical security infrastructure such as lighting, fencing, monitoring and access control. Also, cybersecurity measures, installation of safer treatment technologies, and more secure storage of on-site treatment.
10. Septic Tanks – Remediation, rehabilitation, removal and replacement of failing tanks are eligible, as well as installation of new tanks where none had previously existed.
11. Land – The leasing and fee-simple purchase of land, including surface and subsurface easements needed to locate eligible municipal or tribal projects, land integral to the treatment process (e.g., land for effluent application or recharge basins), and a place to store equipment and material during POTW construction. Municipal purchase of land and/or conservation easements for source water protection are also eligible.
12. Water Reuse – Projects involving the municipal reuse or recycling of wastewater, stormwater, or subsurface drainage water. This includes but is not limited to: the purchase and installation of treatment equipment sufficient to meet reuse standards; distribution systems to support effluent reuse; recharge transmission lines; injection wells; and equipment to reuse effluent (e.g., gray water, condensate, and wastewater effluent reuse systems).
13. Capital Nonpoint Source Pollution Control Projects – e.g., river or streambank restoration, agricultural best management practices (i.e., buffer strips, manure containment structures), wetlands restoration, etc.

#### *Drinking Water*

1. Projects that facilitate compliance with national primary drinking water regulations or address serious risks to public health including non-regulated contaminants (i.e., PFAS)
2. To rehabilitate or develop water sources (excluding reservoirs, dams, dam rehabilitation and water rights) in order to replace contaminated sources

3. To install or upgrade treatment facilities
4. To install or upgrade storage facilities, including finished water reservoirs, to prevent microbiological contaminants from entering the water system
5. To install or replace transmission and distribution pipes to prevent contamination caused by leaks or breaks in the pipe, or otherwise improve water pressure to safe levels
6. Projects to consolidate water supplies (e.g., when individual homes or other public water supplies have a water supply that is contaminated, or the system is unable to maintain compliance for financial or managerial reasons)
7. Land is eligible only if it is integral to a project that is needed to meet or maintain compliance (and further public health protection)
8. Project planning, design, and other related costs

## *U.S. Forest Service*

### State and Private Forestry

The Forest Service is an agency within the Department of Agriculture. Requests that do not fit into the described categories below are unlikely to be eligible for funding under the Forest Service.

The State and Private Forestry account provides technical and financial assistance, usually through the network of State Foresters, to improve the management, protection, and utilization of the Nation's forests. Community Projects are usually limited and include various specific urban and community forestry projects and specific forest disease or pest treatment areas. Community Project Funding requests may also include specific state fire assistance projects or specific forestry assistance projects in this account. Inclusion of projects listed on any federal or state ordinal list, or that are clearly demonstrated to meet the goals of a State Forest Act Plan, are encouraged.

## ***Subcommittee on Labor, Health and Human Services, and Education, and Related Agencies***

The Labor-HHS-Education Subcommittee previously received requests for Community Project Funding to construct or renovate buildings. Health facilities are the **only** types of construction projects normally eligible for community project funding in the Labor-HHS-Education bill.

### **Department of Labor**

Employment and Training Administration

Workforce Innovation and Opportunity Act Demonstration Program

Community Project Funding is designated under Training and Employment Services.

These projects must meet all statutorily mandated requirements, except that they are exempt from the requirement to compete. In addition, all projects must:

1. Include direct services to individuals to enhance employment opportunities;
2. Demonstrate evidence of a linkage with the state or local workforce investment system; and
3. Include an evaluation component

Equipment purchases may be included within Community Project Funding only as an incidental part of the entire project. A similar standard applies to curriculum development, which should be incidental to the project's emphasis on direct services to individuals.

Community Project Funding **cannot** be used for construction or renovation of facilities.

### **Department of Health and Human Services**

Health Resources and Services Administration (HRSA)

Requests that fit into one of the below categories are eligible for Community Project Funding under HRSA.

Health Facilities Construction and Equipment

Grants to help with the cost of construction, renovation, or capital equipment for facilities for provision of health, mental health, or substance abuse services, training of health professionals, or medical research. Examples of eligible facilities include: hospitals; health centers and clinics; skilled nursing facilities; mental health centers; facilities for schools of medicine, nursing or other health professions; and medical research laboratories.

In addition to construction and renovation, grants can be used to acquire capital equipment, such as lab equipment or x-ray machines. Equipment-only grants—that is, grants not involving construction—are permissible (and commonly done). Generally, any equipment having a useful life of more than one year and a unit cost of at least \$5,000 will be eligible as capital equipment. In addition, equipment with lower costs may also be eligible, provided that it is treated as an item of capital expense under the recipient institution’s pre-existing, written accounting policies. Equipment expenses for health information systems and electronic medical records systems are also permitted expenditures. The costs of expendable supplies such as pharmaceuticals, lab chemicals, or office paper are **not** eligible.

HRSA Health Facilities grants cannot be used to acquire land or purchase existing buildings, or to pay salaries or other operating costs. They cannot be used to pay for work previously completed. Grants can be used for architectural and engineering costs associated with an eligible construction project, but cannot be used for general feasibility studies.

#### Health Professions Education and Workforce Development

Grants for projects to improve education and training of health care professionals, or to analyze health workforce trends and needs.

#### Rural Health Outreach

Grants for projects to improve health care in rural areas. Examples of eligible activities include: medical, dental, or mental health care services, health promotion and education, chronic disease management, and improvements to emergency medical services. Grant funds can be used for services only in areas that meet HRSA’s definition of rural.

For lists of eligible areas and further information regarding that definition, see: <https://www.hrsa.gov/rural-health/about-us/definition/index.html>

#### Rural Health Research

Grants to support research on rural health problems and ways of improving health care in rural areas.

#### Telehealth and Health Information Technology

Funding for telemedicine, distance learning, or use of information technology to improve health care.

#### Substance Abuse and Mental Health Services Administration (SAMHSA)

Community Project Funding within SAMHSA should be submitted through the Health Surveillance and Program Support account. Community project funding must fall under one of the following categories:

#### Mental Health

Grants to support programs that promote the prevention or treatment of mental health disorders, including rehabilitation, outreach, and other support services.



## Substance Abuse Treatment

Grants to support programs that improve access and reduce barriers to, and promote, high quality, effective treatment and recovery services.

## Substance Abuse Prevention

Grants to support programs to prevent the onset of illegal drug use, prescription drug misuse and abuse, alcohol misuse and abuse, and underage alcohol and tobacco use.

## Department of Education

### Elementary and Secondary Education

#### Innovation and Improvement

Community project funding for elementary and secondary education should be submitted through the Innovation and Improvement account. Elementary and secondary education Community Project Funding includes: instructional services, afterschool centers, curricula development, teacher training, acquisition of books and computers, arts education, social and emotional learning activities, full-service community schools, and early childhood education. In general, the focus of elementary and secondary education Community Project Funding should be providing early childhood or K-12 educational services.

Community Project Funding to provide and improve special education services at the elementary and secondary levels are also eligible under elementary and secondary education. Project funding may include early intervention services for infants and toddlers, transition services, and postsecondary education services.

Eligible grantees are state education agencies, school districts, colleges and universities, and other public and private nonprofit entities. Generally, Community Project Funding intended for individual schools is provided to the applicable school district and not directly to the individual school.

Community Project Funding cannot be used for construction or renovation of school buildings, except in the case of minor remodeling required as part of technology upgrades. Daycare and childcare projects that do not include educational services are also not eligible.

### Postsecondary Education

#### Fund for the Improvement of Postsecondary Education (FIPSE)

Community Project Funding can be designated under this heading for a wide variety of higher education projects. Generally, funding should focus on improving access to, or the quality of, postsecondary education. Community Project Funding, however, cannot be used for construction or renovation of academic buildings, except in the case of minor remodeling required as part of technology upgrades.

Examples of the types of projects that can be funded under FIPSE include: projects to hire and train faculty, establish and improve degree programs, improve teacher preparation programs, develop and improve curricula, upgrade technology and telecommunications, acquire science laboratory equipment, provide student support, implement university partnerships with school districts, and establish research and training centers.

Grantees are usually colleges and universities, but may also include other public and private nonprofit organizations.

### Limitations on Education-Related Community Project Funding

Except where specifically authorized, Community Project Funding cannot be used for construction (or the acquisition of property) or renovation of buildings. In addition, grantees may not restrict participants based on race, ethnicity or gender. Finally, recipients of community project funding may not sub-grant to other organizations or agencies.

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## ***Military Construction, Veterans Affairs and Related Agencies***

### *Department of Defense - Military Construction Accounts*

#### Construction and Unspecified Minor Construction— Active Components

Eligible Community Project requests include both construction and unspecified minor military construction projects for active components. An unspecified minor military construction project is a project that has an approved cost equal to or less than \$6,000,000. The types of projects under this heading include construction, installation, equipment of temporary or permanent public works, military installations, and facilities for the accounts listed below:

- Army
- Navy and Marine Corps
- Air Force
- Defense-Wide Agencies (SOCOM, DHA, etc.)

#### Construction and Unspecified Minor Construction— Reserve Components

Eligible Community Project requests include both construction and unspecified minor military construction projects for Reserve Components. An unspecified minor military construction project is a project that has an approved cost equal to or less than \$6,000,000. Some Reserve Component projects require a state funding match. It must be determined whether or not the proposed project requires such a match and if so, confirmation that the project has current state match funding must be provided before the request can be considered.

The types of projects under this heading include construction, expansion, rehabilitation, and conversion of facilities for training and administration for the accounts listed below:

- Army National Guard
- Air National Guard
- Army Reserve
- Air Force Reserve
- Navy Reserve

#### Planning and Design

The types of projects under this heading include improving facility resilience, study, planning, design, and architect and engineer services for the accounts listed below:

- Army
- Navy and Marine Corps
- Air Force
- Defense-Wide Agencies (SOCOM, DHA, etc.)
- Army National Guard
- Air National Guard
- Army Reserve
- Air Force Reserve
- Navy Reserve

#### Future Year Defense Program (FYDP)

FYDP is a projection of the forces, resources, and programs needed to support Department of Defense (DOD) operations over a five-year span. The FYDP is released simultaneously with the President's budget request. The updated document listing projects eligible for FY 2022 will be obtainable after the FY 2022 full budget rollout, through the Under Secretary of Defense (Comptroller) website accessible at: <https://comptroller.defense.gov/Budget-Materials/>

#### Unfunded Requirements/Unfunded Priorities Lists (UFRs/UPLs)

UFRs/UPLs are lists that each Service provides to Congress that identify priority projects which were not included in the President's budget request. These lists must be approved by the Secretary of Defense. UFRs/UPLs become available to Congress on the date of the President's full budget request release, which is different from the release of a top-line budget request or so-called "skinny budget."

#### Cost-to-Completes (CTCs)

CTCs are projects that have previously received an appropriation but require additional funding for completion. These lists represent the requirements identified by each Service for the additional funding necessary to complete a project. The lists are approved by each Service Secretary.

## ***Subcommittee on Transportation, Housing & Urban Development, and Related Agencies***

### **Department of Transportation**

#### Local Transportation Priorities

Local Transportation Priorities are highway and transit capital projects eligible under title 23 and title 49 of the United States Code. Eligible projects are described under Section 133(b) of title 23, United States Code. Tribal and territorial capital projects authorized under Chapter 2 of title 23, United States Code, are also eligible.

All projects must be:

- Capital projects or project-specific planning/design for a capital project
- Supported by the state or local government that would administer the project (i.e., inclusion on a Statewide Transportation Improvement Plan (STIP) or Transportation Improvement Plan (TIP) would satisfy this requirement)
- Administered by public entities

Requests for activities that are administrative in nature will not be funded even if they are eligible expenses under the statutory citation. These include general operating expenses, and activities required under sections 134 and 135 of title 23, United States Code.

#### Airport Improvement Program (AIP)

AIP community project requests may be used for enhancing airport safety, capacity, and security, and mitigating environmental concerns.

All projects must be:

- AIP eligible in accordance with sections 47101 to 47175 of title 49, United States Code, and FAA policy and guidance
- Supported broadly by local stakeholders, including residents, businesses, and elected officials
- Administered by an airport and/or airport sponsor

### **Department of Housing and Urban Development**

#### Economic Development Initiative (EDI)

EDI community project requests may be used for economic and community development activities, including land or site acquisition, demolition or rehabilitation of housing or facilities, construction and capital improvements of public facilities (including water and sewer facilities), and public services.

Requests may also include planning and other activities consistent with the underlying authorization for the Community Development Block Grant program within HUD. EDI Community Project requests are **not** eligible for the reimbursement of expenses for activities already undertaken (including debt service or debt retirement).

All projects must be:

- Supported broadly by local stakeholders, including residents, businesses, and elected officials
- Administered by governmental or non-profit entities, including public housing agencies, as well as tribes and tribally designated housing entities

## ***Frequently Asked Questions***

*The process of requesting and submitting requests for Community Project Funding can be confusing. Here are some of the most frequently asked questions about the process. Please refer to this section for answers to many of your questions before following up with my staff.*

### **What is Community Project Funding?**

*Community Project Funding* is generally defined as spending provisions in federal legislation that:

- Are requested on behalf of constituents or constituent organizations by a Member of Congress or Senator;
- Provide, authorize, or recommend a specific amount of discretionary budget authority, credit authority, or specific funding amount to a specific entity for a specific purpose; and,
- Fund projects designed to respond to the objective(s) of a federal program under existing law.

Community Project Funding is typically requested for projects with a clear purpose and goal above and beyond normal operating activities, and for which private, non-federal funding is not available or sufficient. Community Project Funding will typically only serve as a partial contribution to the total cost of a project.

### **Is there a deadline for submitting a request?**

Yes. The deadline to submit a Community Project Funding request for our office is April 16<sup>th</sup>, 2021.

### **What if I miss a deadline? Are any exceptions made if the bill hasn't been passed?**

Congressional offices review numerous requests in a short amount of time. As a result, deadlines are strictly enforced. Once my office submits our requests to the full committee, I am unable to change or add requests. That is why it's important to submit your request *before* the deadline.

### **Are Community Project Funding requests publicly disclosed?**

Yes. All requests for Community Project Funding submitted by the Member to the committee for consideration must be publicly listed on that Member's website, including the name and address of the requestor, the amount requested, and the justification for use of taxpayer funds.

## **Are there limitations on what Community Project Funding can be used for?**

Yes. Federal Programs have very specific restrictions on how federal funds can be used. It is recommended that you closely examine this guide for references to eligible uses or limitations on funding use. Generally, funding cannot be used for debt service, recurring or routine expenses, reimbursement of costs, or projects that cannot demonstrate value to the community.

## **Can I request funding for “bricks and mortar”?**

In general, no. One of the most common requests for funding is for building construction or renovation. Most appropriations accounts specifically prohibit this kind of project given the high demand.

There are some exceptions to this rule, however, including the Economic Development Initiative under the Department of Housing and Urban Development, as well as certain projects under the Military Construction Subcommittee, etc.

## **Should I submit my request to both my U.S. Representative and U.S. Senators?**

Yes. It is strongly recommended that you submit your request to all of your federal representatives.

## **How much should I request?**

It depends on the account from which you are requesting funds. You should not request more funds than you need or that can be realistically spent in the Fiscal Year for which you receive project funds. While you should request the amount that can be expended in the upcoming Fiscal Year that you need, please remember that projects are rarely funded fully due to budgetary restraints. Note also that receipt of funds from Community Project Funding in one Fiscal Year is not a guarantee for Community Project Funding in future Fiscal Years.

## **What if I do not know the appropriate Account or Agency for my project request?**

This guide has been prepared to outline information on available accounts. Requestors should use this guide to identify the appropriate account that meets the needs of your project or organization. Please call my office if you need additional information or guidance.

## **If my project is funded, will I receive the full amount I request?**

There is no guarantee that an approved Community Project Funding request will be funded at the requested level. It is very likely that you will only receive a portion of your request, if any funding at all. This is mostly due to budgetary restraints. Please keep this in mind when requesting support for your project.





## **Do I need letters of support?**

Yes. The more community support for a project your application demonstrates, the better. As noted above, letters of support from local, municipal, and state elected officials and stakeholders—as well as editorials and articles in local newspapers on the importance and necessity of the project—are all important.

## **I submitted a request. Will it be approved? When will I know?**

The FY 2022 Community Project Funding process is extremely targeted, and this process is also very competitive. While my team will carefully review all requests, it is strongly recommended that you explore other grant and funding sources as well.

Many subcommittee deadlines are in mid-April. In order for my team and I to properly examine all requests, my office's deadline is April 16th.

The House Appropriations bills are typically considered in the late spring, with the Senate considering bills in late spring and over the summer. The House and Senate have to convene what's called a "conference committee" to work out the differences in each of those bills.

The Committee requires all members to publicly disclose and post their final requests to the Appropriations Committee once the requests are made. Hence, please remember that even if your project is supported in the House and/or Senate Appropriations bills, the funding level is subject to change until the final bill is signed into law.

This process can be long, but my team and I will be sure to keep all projects apprised of their status throughout.

## **If my Community Project Funding request is granted, what is the process for getting the assistance and how quickly will I receive it?**

In general, recipients of Community Project Funding will be contacted by the appropriate agency or office that oversees the account from which your project received funding. This cannot happen until the appropriations bill in which your project was listed is signed into law. The timing varies between departments and agencies – some may start the process within several weeks, others may take several months after the bill's enactment into law.

In most cases, you will have to complete and submit a grant application outlining the project's goals, cost estimates and other requirements. You will work with a program or contract officer to complete these steps; they may have questions or additional requirements that could affect the timing of the obligations or outlay of funding to your organization.

The process of accessing funding, and the time it takes to complete the necessary steps, surprises many recipients who expect the money to be provided immediately.

Please be sure to take this into account when submitting your request.

### **Can I depend on receiving Community Project Funding for the same project more than once?**

Generally, no. Most successful requests are one-time infusions of funding, generally used to launch a project or partially contribute towards the total cost of a project.

Given the limitations on the appropriations process for Community Project Funding, there is no guarantee that Congress will support a project for more than one year. However, you should discuss the needs of your project with your Congressional sponsor(s) if you believe that federal support will be needed beyond a single fiscal year.

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## ***Other Federal Funding Resources***

The Community Project Funding process is highly competitive, and while there are many worthy projects that deserve support, funding limitations prevent many from receiving funding through the Congressional appropriations process. However, it is important to note that Community Project Funding represents only a small fraction of the discretionary funding available through competitive grants, loans, and other opportunities.

Below are a number of useful resources to explore other federal funding opportunities. Each Congressional office has staff dedicated to assisting organizations with seeking and applying for grants; and you are strongly encouraged to contact your Congressional representatives to discuss how you can access any assistance from your federal elected officials.

### **Key Resources**

Grants.gov

Looking for other federal funding opportunities? At Grants.gov, organizations can search and apply for competitive grants from 26 different federal agencies. Grants can be searched by agency, type of applicants, intended purposes, and more.

SAM.gov

The official U.S. government website for people who make, receive, and manage federal awards.

## GovLoans.gov

Interested in finding out which loans or benefits you may be eligible for? Here you can learn more about federal loans, determine which loans may be right for you, and more.

## Benefits.gov

This tool will help you figure out what government benefits you may be eligible for. It also provides information on how to apply for these programs.

## USA.gov

The official guide to US Government Information and Services.

*This section will be updated with more information at a later date.*

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## Feedback

I hope this guide is helpful to you in compiling your Community Project Funding requests. My team has spent many hours putting our process and this guide together. Your feedback is essential to ensuring that this guide and process remain user-friendly. Please share any feedback you have with my staff.

Thank you,



<b>Summary of Staff Recommendations</b>	<b>Type</b>	<b>Total Project Cost</b>
<b>Mills Parkway - Reconstruction - 91st St to Grand Prairie Parkway</b>	<b>Roadway</b>	<b>9,440,000.00</b>
<b>Stormwater Detention Facility - Former Bridges of Iowa Site</b>	<b>Stormwater</b>	<b>1,850,000.00</b>
<b>Raccoon River Pedestrian Bridge &amp; Raccoon River Park</b>	<b>Trail / Quality of Life</b>	<b>6,200,000.00</b>
		<b>17,490,000.00</b>

# Item 6

## Stiles, Tim

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**Subject:** FW: Human Services BKD Engagement  
**Attachments:** Human Services Internal Control Narrative.xlsx

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**From:** Stiles, Tim  
**Sent:** Friday, April 2, 2021 5:15 PM  
**To:** Hadden, Tom <tom.hadden@wdm.iowa.gov>; Letzring, Jamie <Jamie.Letzring@wdm.iowa.gov>  
**Cc:** Montgomery, Lesley <lesley.montgomery@wdm.iowa.gov>  
**Subject:** FW: Human Services BKD Engagement

Tom and Jamie,

After considerable discussions and a good deal of documentation performed by Lesley, we can provide an update regarding the work that audit firm BKD will be performing. This is, you recall, in response to several concerns about financial operations of Human Services.

Lesley has done a great job getting Althea and her staff on board with what's going to happen. Lesley has a strong background in this area by working previously for a non-profit organization and she is able to communicate very well with Althea. I am excited to see this happen as it will hopefully clarify a lot of currently-grey areas.

Our group determined that there are really two separate areas of focus, so two separate engagements are being proposed (**details below**). **The City will be paying for Engagement #1 and the Friends of Human Services will be paying for Engagement #2.** Because the city's overall cost will be less than \$10,000, I am able to sign a Professional Services Agreement without requiring full City Council approval but didn't want this to come as a complete surprise either.

Please let me know if you have any questions or want to discuss in more detail prior to next Wednesday's F&A meeting.

**Tim Stiles**  
**Finance Director**  
**City of West Des Moines**  
**Office/Cell (515) 971-6644**  
[tim.stiles@wdm.iowa.gov](mailto:tim.stiles@wdm.iowa.gov)

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**From:** Montgomery, Lesley <[lesley.montgomery@wdm.iowa.gov](mailto:lesley.montgomery@wdm.iowa.gov)>  
**Sent:** Friday, April 2, 2021 4:27 PM  
**To:** Stiles, Tim <[Tim.Stiles@wdm.iowa.gov](mailto:Tim.Stiles@wdm.iowa.gov)>  
**Subject:** FW: Human Services Engagement

FYI – this is the email I sent to Althea. We talked through everything over Teams first, so none of this will be a surprise. She said she would forward this email to the Board and have their President sign the engagement letter.

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**From:** Montgomery, Lesley  
**Sent:** Friday, April 2, 2021 4:20 PM  
**To:** Holcomb, Althea <[Althea.Holcomb@wdm.iowa.gov](mailto:Althea.Holcomb@wdm.iowa.gov)>  
**Subject:** Human Services Engagement

Hi Althea,

It was great speaking with you again today!

I've included a recap of our meeting with our audit firm (BKD LLP) as well as our conversations so you can share with the Friends Board. I will keep you posted as this progresses. **The overall goals are to proactively improve internal financial controls within the Human Services Department and to provide clarity through operational changes to demonstrate that the Friends of Human Services Foundation is clearly a separate entity from the City.** As it stands now, the lines are not clear and as a result the City would be required to include this operation as a component unit in the City's financial statements. BKD will be sending a formal engagement letter that each entity will be required to sign that outlines the detail of the scope of work.

**Engagement #1: Operational Assessment**

**Responsible Entity: City of West Des Moines**

**Estimated Costs: \$5k-\$10k**

**Overall Scope: Evaluate the internal control environment of Human Services financial operations and provide recommendations for improvement**

**Engagement #2: Compilation of Financial Statements**

**Responsible Entity: Friends of Human Services**

**Estimated Costs: \$5k-\$10k**

**Overall Scope: Compile financial data of the Friends organization and create financial statements according to IRS Form 990 categories for all years (2015-2021), examine transactions on a test basis**

Initial documents BKD will need:

- Bank Statements since inception of the Friends of Foundation
- Articles of Incorporation
- Letter from the IRS showing tax exempt status
- Board minutes since inception
- Board member list (already sent to Finance)
- Financial Excel log (already sent to Finance)
- Internal Control narrative of current processes (already completed by Finance/HS, attached for reference)

Proposed start date: 4/12/21

Proposed end date: 5/21/21 (prior to 5/25/21 Board meeting)

Let me know if you have any questions.

I appreciate your help with this initiative!

**Lesley Montgomery, CPA**

Accounting Manager

City of West Des Moines

515-222-3635

[lesley.montgomery@wdm.iowa.gov](mailto:lesley.montgomery@wdm.iowa.gov)

# Item 7



**CITY OF WEST DES MOINES MEMORANDUM**

**To:** Finance & Administration City Council Subcommittee Members

**From:** Tim Stiles

**Date:** April 7, 2021

**Re:** Commerce Bank Control Pay Program

**Summary:**

Since 2010 the City has offered Commerce Bank’s Control Pay as a payment option for our vendors. Rather than receiving payment by physical check or directly to their bank account by ACH the vendor receives an email from Commerce Bank containing a link to credit card information that the vendor processed thru their usual credit card acceptance process. They are not charged for this service by the City, but their credit card processor’s fees apply according to their mutual agreement.

**Highlights:**

	# Items paid by check/FY	Amount paid by check/FY	# Items paid by ACH/FY	Amount paid by ACH/FY	# Items paid by CP/FY	Amount paid by CP/FY	Revenue sharing received/FY (1)
FY 2016-2017	3,954	61,346,442.79	1,541	44,488,671.11	1,242	6,613,830.60	\$85,999.79
FY 2017-2018	4,330	65,317,115.84	1,675	50,991,689.02	1,134	5,308,840.66	\$95,554.10
FY 2018-2019	4,592	69,684,529.19	2,127	96,586,803.89	1,120	5,327,400.68	\$74,929.19
FY 2019-2020	4,434	82,149,057.04	2,384	136,644,790.45	1,075	4,999,722.08	\$66,152.44
YTD- FY 2020-2021	3,423	64,636,183.35	1,710	87,575,516.94	762	3,701,434.67	\$39,172.88

**Benefits/costs of the program to the vendor:**

- Speed of payment- the vendor receives an email with payment info the day following City Council approval. It is up to the vendor as to when the funds are manually claimed. No fees are charged by the City, but the vendor’s usual credit card processing fees apply as per their agreement with their card processor. Fund availability is determined by the vendor’s agreement with their card processor.

**Benefits/costs of the program to the City:**

- Revenue sharing received from Commerce Bank. (1)
- Time and expense of manually verifying, setting up and maintaining vendor record and coinciding Commerce Bank vendor record.
- Time and expense of manually monitoring any outstanding payment “logs”.
- Time and expense of manually assisting with vendor issues in claiming funds.

**Feedback from vendors:**

- Process not fully/clearly explained by Commerce Bank. (“We were only asked if we accept credit card payments.” “They made it sound like we *had to* do this.”)
- Permission obtained by Commerce Bank from unauthorized vendor’s employee.
- Payment amount impacts vendors desire to accept funds via Control Pay/credit card due to processing fees assessed by their processor.
- Vendors are no longer accepting these types of payments.
- Vendors are showing interest in receiving payments via ACH. (78 newly enrolled since November 2020)

# Item 8

## Staff Updates

Attendees: Brian Hemesath, Josh Clayworth, Craig Leu, Mike Whitsell, Jason Schlickbernd, Tim Stiles  
Michael Brothers – Iowa Army Reserves National Guard, Construction & Project Manager  
John Perkins – Colonel with Iowa Army Reserves National Guard

Notes:

- Site plan attached was mentioned in the meeting but shared via email after the meeting.
  - WDM & IARNG facilities will have 2 separate addresses, possibly one from Veterans Parkway (IARNG) and one from SE Maffitt Lake Road (WDM).
  - IARNG facilities to include truck company (30-40 vehicles) and platoon (230-240 people on weekends, 5-6 people on weekdays).
- Existing Lease agreement attached between City & Iowa Armory Board was briefly discussed.
- Selection of Architect:
  - IARNG has previously used FEH, RDG, Design Alliance (now Farnsworth Group), Simonson & Associates, etc. but is not committed to using any specific firm.
  - WDM is not committed to using any specific firm either but would prefer to solicit RFQ.
  - Both parties agreed to RFQ process with IARNG taking the lead.
  - Mike will share draft of RFQ for review.
  - City to share list of Consultants to include with the RFQ solicitation.
  - City wishes to be involved with consultant selection process.
  - Scope of services to include master plan, preliminary design, final design, bidding, construction administration, construction observation, and commissioning.
  - LEED Silver certification required for IARNG buildings.
  - Possible separate contract with Civil Design Advantage (CDA) for site engineering design mentioned but may not be the correct path to go down for this project.
- Contract Stipulations:
  - Current construction estimate for IARNG work is approximately \$20M.
  - 3% typical for master planning or investigative work (Type A services).
  - 6% max for preparation of Plans & Specs (Type B or Title 1 services).
  - 3% typical or max of 5.7% for construction administration & observation (Type C or Title 2 services).
  - Goal to be around 12%.
- Schedule:
  - Spring 2023 groundbreaking.
  - Anticipated 18-month construction period.
  - Sanitary sewer service to site by that time.
  - More detailed schedule to be emailed.
- Funding:
  - Guard anticipates securing funding for design by July 1, 2021.
  - State funding FY July-August.
  - Federal funding FY October-September.
  - Construction monies to be secured by October 2022.
- 28E Agreements:
  - One agreement needed for design & construction.
  - One agreement needed for use & maintenance.
  - Need to be presented and approved by Iowa Armory Board as well as City Council.
- Next step – Commence RFQ process.

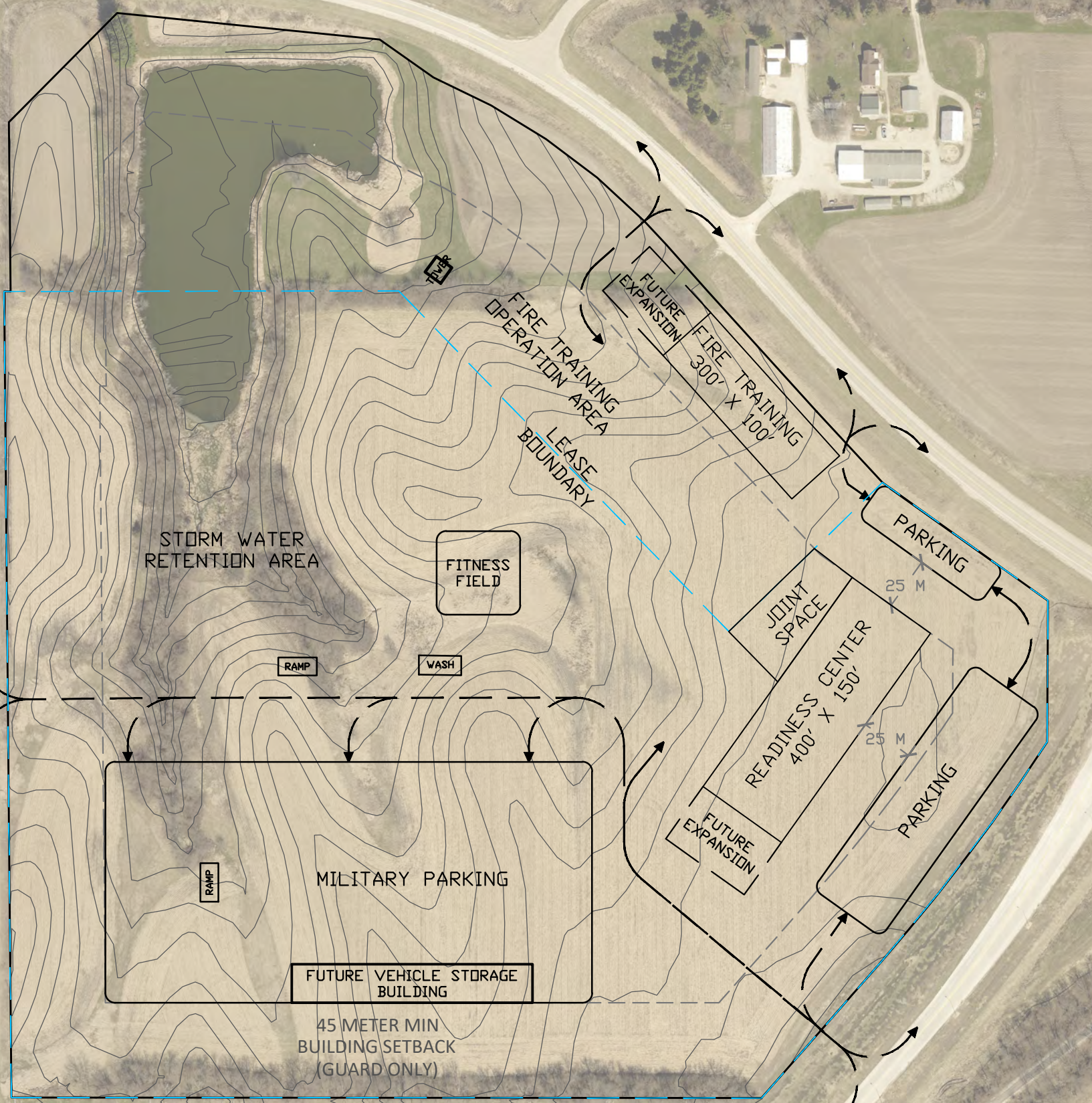
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SE ORILLA RD

VETERANS PKWY



**VETERANS ARMORY JOINT TRAINING FACILITY**

**CONCEPTUAL SITE PLAN**

0 50 100 200 Feet

1" = 200'-0"

CONTOUR LINES AT 2'-0" INTERVALS

# BKD

# INTEGRAREPORT

## FRAUD & ETHICS HOTLINE

- Personalized website
- Custom toll-free phone number with a customized script
- Real-time, quarterly dashboards
- Online case management system
- Ability to anonymously communicate with the reporter
- Hotline monitored by BKD fraud professionals
- Live implementation and setup training
- Consultation and customized templates for marketing materials
- Industry specific fraud awareness training via USB drive or access to online webinar for unlimited viewing within subscription year

24 HOURS A DAY. 7 DAYS A WEEK. 365 DAYS A YEAR.

March 12, 2021

Tim Stiles, Finance Director  
City of West Des Moines Iowa  
4200 Mills Civic Parkway  
West Des Moines, IA 50265

We are pleased to confirm the arrangements of the IntegraReport Hotline we will provide to the City of West Des Moines Iowa.

**IMPLEMENTATION OF HOTLINE SERVICE**

We will provide IntegraReport Hotline (“hotline”) reporting services for the City of West Des Moines Iowa. Reporting access to your toll free number and unique web portal ([www.TBD.integrareport.com](http://www.TBD.integrareport.com)) will begin within 14 days of the signing of this letter and your approval of the script for your toll free number.

Any information provided to the hotline will be made available to you in electronic or written form following the receipt of the information by **BKD, LLP**. We will provide a verbatim transcript of the report to you. We will not provide the identity of the person making the report unless we are requested to do so by the person making the report. **BKD** will not communicate with anyone submitting information, even if requested to do so. In addition, we will provide a quarterly report which summarizes the dates reports were made by way of the telephonic or on-line submissions.

The hotline is an anonymous relay of information to **BKD** by your employees. **BKD, LLP** makes no assumptions or conclusions as to the veracity of the information received and is not responsible to investigate, verify or follow up on such information. Any follow-on services requested of **BKD, LLP** will be reviewed upon their request and will require a separate engagement letter.

The hotline reporting service can be used by your employees who wish to anonymously or confidentially report suspected violations of company’s standards of conduct, or laws or regulations. The types of issues that may be reported through the hotline include suspected fraud, theft, embezzlement, insider trading, accounting or auditing irregularities, bribery, kickbacks, misuse of company assets, suspected regulatory or compliance violations or other ethics-related issues.

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You agree that BKD will not be responsible to report any information to any law enforcement or regulatory entity.

### **YOUR RESPONSIBILITIES**

In addition, we may perform other services for you that are not covered by this engagement letter. You agree to assume full responsibility for the substantive outcomes of the services described above and for any other services we may provide, including any findings that may result. You also acknowledge these services are adequate for your purposes, and you will establish and monitor the performance of these services to ensure they meet management's objectives. Any and all decisions involving management responsibilities related to these services will be made by you, and you accept full responsibility for such decisions. We understand you have designated a management-level individual to be responsible and accountable for overseeing the performance of these services, and you have determined this individual is qualified to conduct oversight.

We will not make management decisions or perform management responsibilities, the responsibility for which remains with management and the Board of Directors.

### **YOU WILL BE SOLELY RESPONSIBLE FOR ANY AND ALL INVESTIGATION AND FOLLOW-UP REMEDIATION OF ALL INFORMATION PROVIDED VIA THE HOTLINE.**

We recommend you designate two persons to receive our reports. Reports will be provided according to our standard protocol. We will not make extraordinary efforts to ensure reports are received. The names, titles, and email addresses of the individuals designated to receive reports will be established prior to the hotline being made available to employees

We will provide a summary report on a quarterly basis. If BKD provides external auditing services to your organization, we will also provide this summary report to BKD audit professionals upon their request.

### **ENGAGEMENT FEES**

Our fee for the IntegraReport Hotline reporting service is \$4,000, billed on an annual basis beginning the month in which the you launch the hotline to your users. These fees may be adjusted on an annual basis. The subscription will automatically renew on an annual basis.



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Our pricing for this engagement and our fee structure is based upon the expectation that our rate of 10% per annum, or as allowed by law at the earliest date thereafter, and highest applicable rate if less than 10%.

Our engagement fee does not include any time for post-engagement consultation with your personnel or third parties, inquiries from regulators or testimony or deposition regarding any subpoena. Charges for such services will be billed separately.

In the event of a question or dispute about the invoice you receive, you agree to contact your BKD professional within 10 days of your receipt of the invoice. We will work with you to answer questions and address disputed issues as quickly as possible. For this engagement, the person to contact with respect to any such billing questions and issues is Ms. Julia Mast. She can be reached at [jmast@bkd.com](mailto:jmast@bkd.com) or 816.701.0262.

If our invoices for this or any other engagement you may have with BKD are not paid within 60 days, we may suspend or terminate our services for this or any other engagement. In the event our work is suspended or terminated as a result of nonpayment, you agree we will not be responsible for any consequences to you.

It is our intention that IntegraReport should be implemented within 30 days following the signing of this engagement letter. If you are aligning the hotline launch with other organizational initiatives (new policies and procedures) and expect this to take longer, please inform us of your intended roll out date. In the event that you receive implementation training and supporting materials but decide not to move forward with the service, you will be billed for \$1,000 for time, training and materials provided.

#### **OTHER ENGAGEMENT MATTERS AND LIMITATIONS**

The employees of BKD are not, under any circumstances, your employees. Decisions regarding management of your business remain the responsibility of your personnel at all times.

We will not perform any of your obligations, nor are we responsible for managing operations of the business.

Our documentation retained in any form of media for this engagement is the property of BKD. We can be compelled to provide information under legal process. In addition, we may be requested by regulatory or enforcement bodies to make certain documentation available to them pursuant to authority granted by law or regulation. You agree that we have no legal responsibility to you in the event we provide such documents or information pursuant to legal process.

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You agree to indemnify and hold harmless BKD and its personnel from any claims, liabilities, costs and expenses relating to our services under this agreement, except to the extent determined to have resulted from the intentional or deliberate misconduct of BKD personnel. Neither party shall be liable to the other for any special, indirect, consequential or punitive damages.

Any liability of BKD and its personnel to you is limited to the amount of the fee you paid for this engagement as liquidated damages.

You agree that any dispute regarding this engagement will, prior to resorting to litigation, be submitted to mediation upon written request by either party. Both parties agree to try in good faith to settle the dispute in mediation. The American Arbitration Association will administer any such mediation in accordance with its Commercial Mediation Rules. The results of the mediation proceeding shall be binding only if each of us agrees to be bound. We will share any costs of mediation proceedings equally, except each party shall be solely responsible for any attorney fees [and related expenses] it incurs as a result of the mediation.

Either of us may terminate these services at any time. Both of us must agree, in writing, to any future modifications or extensions. If services are terminated, you agree to pay us pro rata for services provided prior to termination.

If any provision of this agreement is declared invalid or unenforceable, no other provision of this agreement is affected and all other provisions remain in full force and effect.

This engagement letter represents the entire agreement regarding the services described herein and supersedes all prior negotiations, proposals, representations or agreements, written or oral, regarding these services. It shall be binding on heirs, successors and assigns of you and BKD.

If these services are determined to be within the scope and authority of Section 1861(v)(1)(I) of the *Social Security Act*, we agree to make available to the Secretary of Health and Human Services, or to the Comptroller General, or any of their duly authorized representatives such of our billing records as are necessary to certify the nature and extent of our services, until the expiration of four years after the furnishing of these services.

We may from time to time utilize third-party service providers, *e.g.*, domestic software processors or legal counsel, or disclose confidential information about you to third-party service providers in serving your account. We remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures and safeguards to protect the confidentiality of your information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information. In the event we are unable to secure an appropriate confidentiality agreement, you will be asked to

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provide your consent prior to the sharing of your confidential information with the third-party service provider.

You agree to assume full responsibility for maintaining your original data and records and that BKD has no responsibility to maintain this information. You agree you will not rely on BKD to provide hosting, electronic security or backup services, *e.g.*, business continuity or disaster recovery services, to you unless separately engaged to do so. You understand that your access to data, records and information from BKD's servers, *i.e.*, BKDconnect, can be terminated at any time and you will not rely on using this to host your data and records.

We will, at our discretion or upon your request, deliver confidential information to you electronically via email or other mechanism. You recognize and accept the risk involved, particularly in email delivery as the internet is not necessarily a secure medium of communication as messages can be intercepted and read by those determined to do so.

Any time you intend to reference our firm name in any manner in any published materials, including on an electronic site, you agree to provide us with draft materials for our review and approval before publishing or posting such information.

BKD is a registered limited liability partnership under Missouri law. Under applicable professional standards, partners of **BKD, LLP** have the same responsibilities as do partners in a general accounting and consulting partnership with respect to conformance by themselves and other professionals in BKD with their professional and ethical obligations. However, unlike the partners in a general partnership, the partners in a registered limited liability partnership do not have individual civil liability, directly or indirectly, including by way of indemnification, contribution, assessment or otherwise, for any debts, obligations or liabilities of or chargeable to the registered limited liability partnership or each other, whether arising in tort, contract or otherwise.

We are an independent accounting firm allowed to use the name "Praxity" in relation to our practice. We are not connected by ownership with any other firm using the name "Praxity," and we will be solely responsible for all work carried out by us on your behalf. In deciding to engage us, you acknowledge that we have not represented to you that any other firm using the name "Praxity" will in any way be responsible for the work that we do.

Due to the unpredictable nature of hotline reporting, there is a possibility that an individual may report information containing Protected Health Information during the course of our engagement.

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### **HIPAA BUSINESS ASSOCIATE AGREEMENT**

We agree not to use or disclose Protected Health Information of your [patients/employees] (hereinafter referred to as “PHI”) obtained or produced in any form of media during the course of our work in a manner prohibited by HIPAA, as amended. We may use or disclose PHI for purposes of (a) performing our engagement, (b) management and administration of BKD, or (c) carrying out legal responsibilities of BKD. We represent to you that we have implemented what we consider to be appropriate administrative, physical and technical safeguards to protect the confidentiality, integrity and availability of your PHI.

With respect to your PHI, we will report to you any breach (as defined in 45 CFR 164.402), material security incident or use or disclosure not authorized by this agreement and, to the extent practical, assist you in mitigating any harmful effects caused by breaches, material security incidents or unauthorized uses or disclosures of which we become aware. To assist you in fulfilling your responsibility to notify impacted individuals and others of a breach involving unsecured PHI (as required under 45 CFR 164.400 et seq.), in this report we will identify to you, to the extent reasonably possible:

1. Each individual whose unsecured PHI was subject to the breach.
2. Any other available information you are required to include in your notification to such individual(s) or others under 45 CFR 164.404(c).

We agree that any material violation of these confidentiality provisions entitles you to terminate this engagement.

BKD agrees to:

1. Upon their request, make available to the Secretary of Health and Human Services (HHS) our internal practices and books and records relating to the use and disclosure of PHI for purposes of determining your compliance with the Security and Privacy Rule, subject to any applicable legal privileges.
2. Make available information necessary for you to make an accounting of disclosures of PHI about an individual.
3. To the extent we maintain information that is part of a Designated Record Set, make available information necessary for you to respond to requests by individuals for access to PHI that is not in your possession but is considered part of a Designated Record Set.

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4. Upon receipt of a written request from you, incorporate any amendments or corrections to PHI contained in our workpapers in accordance with the Security and Privacy Rule to the extent such PHI is considered part of a Designated Record Set.

For purposes of this agreement, the term "Security and Privacy Rule" refers to the final rules published to implement the Administrative Simplification provisions of the *Health Insurance Portability and Accountability Act of 1996*, specifically 45 CFR Parts 160 and 164. The terms "Protected Health Information" and "Designated Record Set" have the same meaning as defined in the Security and Privacy Rule.

At the conclusion or termination of this engagement, any PHI retained by us will be subject to the same safeguards as for active engagements.

We will obtain from any agents, including subcontractors, to whom we provide PHI received from you, or created or received by us on behalf of you, an agreement to the same restrictions and conditions that apply to us with respect to such PHI.

To the extent that any relevant provision of HIPAA is eliminated or held to be invalid by a court of competent jurisdiction, the corresponding portion of this agreement shall be deemed of no force and effect for any purpose. To the extent that any relevant provision of HIPAA is materially amended in a manner that changes the obligations of business associates or covered entities that are embodied in term(s) of this engagement, the Parties agree to negotiate in good faith appropriate amendment(s) to this engagement to give effect to such revised obligations. In addition, the terms of this engagement should be construed in light of any interpretation and/or guidance on HIPAA issued by HHS from time to time.

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We will be pleased to discuss this letter with you and look forward to the opportunity of serving you. If you agree with the above terms please sign the statement below and return the original of this letter to us. If the signed copy you return to us is in electronic form, you agree that such copy shall be legally treated as a "duplicate original" of this agreement.

**BKD, LLP**


*BKD, LLP*

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City of West Des Moines Iowa  
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The services and terms described in this letter are in accordance with our understanding and are acceptable to us.

**CITY OF WEST DES MOINES IOWA**

BY

  
\_\_\_\_\_  
Tim Stiles, Finance Director

DATE

3/23/21