



JOHN R. BENSON, HOMELAND SECURITY ADVISOR
AND EMERGENCY MANAGEMENT DIRECTOR

March 26, 2026

LOCAL

Executive Council of Iowa

Subject: Executive Council Agenda for April 6, 2026

I respectfully request time on the April 6, 2026, Executive Council Agenda for the City of Portsmouth's request for a Contingency Loan. The application for State Disaster Aid is authorized under Iowa Code Section 29C.20.

Please find enclosed the following items to support the City's request for \$1,000,000 and the Department of Homeland Security and Emergency Management's (HSEM's) recommendation of \$1,000,000:

- City of Portsmouth's need for a \$1,000,000 contingency loan
 - Resolution by the City Council authorizing the Mayor to file the application
 - Certification by the Mayor to file and administer the loan in accordance with applicable local and state regulations
 - Application for Financial State Disaster Aid (SDA-3) to include a repayment schedule of 20 years
- HSEM's recommendation of \$1,000,000 pursuant to Iowa Admin Code r. 361-2.5(29C)
 - Review of the application for State Disaster Aid - Recommendation by the HSEM Recovery Division Administrator for approval of the City's loan in an amount not to exceed \$1,000,000
 - Report and recommendation - Recommendation by Director Benson of HSEM for approval of the City's loan in an amount not to exceed \$1,000,000
- Attorney General's Office review pursuant to Iowa Code section 29C.20 and the administrative rules of 361 Iowa Administrative Code chapter 2
 - City of Portsmouth's request complies with the statute and rules governing the contingency fund

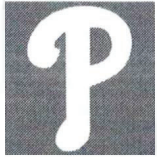
Director Benson recommends approval of the City of Portsmouth's request for a Contingency Loan in the amount of \$1,000,000.

Sincerely,

Dennis T Harper
Digitally signed by Dennis T
Harper
Date: 2026.03.26 08:28:56 -05'00'

Dennis Harper
Recovery Division Administrator

Enclosures



City of Portsmouth

To: Director, HSEMD

The City of Portsmouth is requesting consideration of approval of the State Contingent Loan Fund for Disaster # 4784DR-IA related to street repair costs. On May 20, 2024 the city experienced a very impactful storm, that brought with it torrential downpours causing city streets to be washed out. We currently have two active public assistance projects with FEMA. One project has been paid out, and we are working on the second project. The city had to borrow money from SCSB (\$500k over 15 years, with another \$250k in interest over the life of the loan) to start working on the repairs/replacement of damaged roads. This shows the significant financial interest the city has taken to fund this project. We are requesting 1,000,000.00 at 0% over 20 years to be used to further the project, and keep the city from borrowing any further high-interest accruing funds. We are a small town (187 pop.) and the funds that have had to be raised for the city's portion of repairs have added an increased financial burden on our residents. The town was forced to create a debt levy at 50k per year in order to raise the funds needed to repair our roads. We have increased property taxes with the levy in the last year and most/all homeowners had hail/wind damage to their homes and are experiencing up to an 20% increase in homeowner's insurance premiums. We also replaced our water tower in 2019 at the insistence of the DNR and it has significantly increased municipal water rates. These increased burdens on our residents are an added injury subsequent to the individual impacts they felt following the devastating storm in May of 2024. We receive approx. \$12,669 in road use funds per year and we allocate our LOST funds to street maintenance at approx. \$12,030 per year. We are trying to move away from chip and seal roads with no base and move to concrete/blacktop with a firm base. There is a substantial difference between what FEMA funding will help pay for, repairing our streets to pre-disaster condition, and what the city wishes to do in terms of improving the streets for future condition stability and mitigation against other disaster events. We are looking to complete a section of this project each year. This success of this plan is dependent on the city receiving this loan and the FEMA public assistance project payouts.

Thank you for your consideration

Laura Anderson, City Clerk
712-743-2044
portsmouthiowa@gmail.com

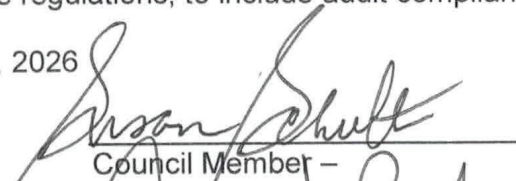
CERTIFIED TRUE COPY OF RESOLUTION OF GOVERNING BODY
To Accompany Application for State Disaster Aid
Authorized by Section 29C.20 Code of Iowa

BE IT RESOLVED BY THE City Council OF THE City of Portsmouth
(Governing Body) (Public Entity)

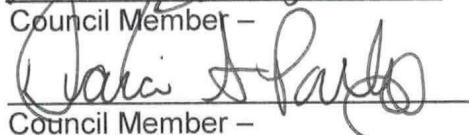
THAT Eric Brooks, Mayor
(Name of Incumbent) (Official Position)

is hereby authorized to execute for and on behalf of the City of Portsmouth, a public entity established under the laws of the State of Iowa, an application, for submittal to Iowa Homeland Security and Emergency Management Department, for the purpose of obtaining State Disaster Aid provided by 29C.20 Code of Iowa. And, if approved by the Executive Council, administer the loan in accordance with applicable local and state regulations, to include audit compliance.

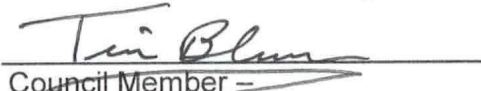
Passed and approved this 5th day of January, 2026



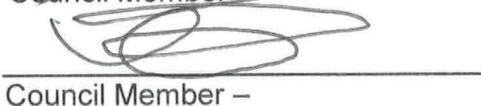
Council Member -



Council Member -



Council Member -



Council Member -



Council Member -

ATTEST:



(Signature)



CERTIFICATE
By Authorized Requesting Official
To Accompany Application for State Disaster Aid
Authorized by Section 29C.20 Code of Iowa

I, Laura Anderson, do hereby certify that I have been authorized by City Council of the City of Portsmouth
(Governing Body) (Public Entity)

to file an application and, if approved, administer the loan in accordance with applicable local and state regulations, to include audit compliance, on behalf of the above indicated Governmental Subdivision.

FOR LOAN PURPOSES:

I certify that the total expenditures and obligations by the said Governmental Subdivision, over and above normal expenditures and obligations, for disaster expenses as a result of a Governor's Proclamation of Disaster Emergency for which no public reimbursement has been or will be received, amounts to or exceeds \$1,000,000.009.

DATE: 1/6/26

Laura P Anderson
(Signature)

APPLICATION FOR FINANCIAL STATE DISASTER AID
Authorized by Section 29C.20 Code of Iowa

Attach additional sheets as required and reference this Form

1. GENERAL INFORMATION:

a. Governmental Subdivision:

City of Portsmouth
(County, City or Town, School District, etc.)

b. Authorized Requesting Official

Eric Brooks Mayor, City of Portsmouth
(Name, Official Title)PO Box 188 Portsmouth IA 51565
(Official Address, Phone, Fax)c. Date of Application: February 2026

d. Type of actual or impending disaster:

Severe Wind Storms and Flooding (DR-4784)

e. Disaster occurred on or expected about:

May 20, 2024
(date)

2. DISASTER SUMMARY:

a. Brief narrative description of the disaster, actual or expected, and estimate of severity and extent of damage resulting or expected:

The City of Portsmouth is requesting consideration of approval of the State Contingent Loan Fund for Disaster # 4784DR-IA related to street repair costs. On May 20, 2024 the city experienced a very impactful storm, that brought with it torrential downpours causing city streets to be washed out. We currently have two active public assistance projects with FEMA. One project has been paid out, and we are working on the second project. The city had to borrow money from SCSB (\$500k over 15 years, with another \$250k in interest over the life of the loan) to start working on the repairs/replacement of damaged roads. This shows the significant financial interest the city has taken to fund this project. We are requesting 1,000,000.00 at 0% over 20 years to be used to further the project, and keep the city from borrowing any further high-interest accruing funds. We are a small town (187 pop.) and the funds that have had to be raised for the city's portion of repairs have added an increased financial burden on our residents. The town was forced to create a debt levy

at 50k per year in order to raise the funds needed to repair our roads. We have increased property taxes with the levy in the last year and most/all homeowners had hail/wind damage to their homes and are experiencing up to an 20% increase in homeowner's insurance premiums. We also replaced our water tower in 2019 at the insistence of the DNR and it has significantly increased municipal water rates. These increased burdens on our residents are an added injury subsequent to the individual impacts they felt following the devastating storm in May of 2024. We receive approx. \$12,669 in road use funds per year and we allocate our LOST funds to street maintenance at approx. \$12,030 per year. We are trying to move away from chip and seal roads with no base and move to concrete/blacktop with a firm base. There is a substantial difference between what FEMA funding will help pay for, repairing our streets to pre-disaster condition, and what the city wishes to do in terms of improving the streets for future condition stability and mitigation against other disaster events. We are looking to complete a section of this project each year. This success of this plan is dependent on the city receiving this loan and the FEMA public assistance project payouts.

2. DISASTER SUMMARY (continued):

		ACTUAL	ESTIMATED
b.	Current estimate of disaster response and recovery costs:		
(1)	public losses (total of a, b, and c below)	\$6,577,200.00	\$ _____
(a)	emergency protective measures (flood fighting, rescue, safety, health and sanitation)	\$ _____	\$ _____
(b)	Clearance of disaster debris and wreckage (i.e., snow and tree removal)	\$ _____	\$ _____
(c)	<u>Emergency repairs and temporary replacement</u>		
	1. roads, streets, culverts, bridges	\$6,577,200.00	\$ _____
	2. dikes, levees, and drainage facilities	\$ _____	\$ _____
	3. public buildings and related equipment	\$ _____	\$ _____
	4. public utilities and public works	\$ _____	\$ _____
*	(2) Any other expenses of the disaster (explain on separate sheet)	\$ _____	\$ _____
	(3) Summation of (1) and (2) above	\$6,577,200.00	\$ _____

* Include only incurred disaster costs (i.e., generators, chippers, equipment, etc.) not reimbursed by a disaster grant, loan program, or insurance.

3. STATE DISASTER ASSISTANCE REQUESTED:

LOAN REQUEST INFORMATION

Costs:

Actual cost	\$ _____	6,577,200.00
Estimated cost	\$ _____	
A. Total Cost	\$ _____	6,577,200.00

Reimbursements:

Disaster Year Budget Amount (____/____) (City budget)	\$ _____
Disaster Funds Received	\$ _____
Grants & Other Funds (CDBG, SCS, Rural Development)	\$ _____
B. Total Funds Received	\$ _____

C. Request Base Amount	\$ _____	6,013,788
D. Less 25%	\$ _____	1,503,447
E. The maximum amount that can be requested by the applicant	\$ _____	4,510,341

(formula A minus B = C, C minus D = E)

4. HOW AND WHEN DO YOU PLAN TO REPAY THE LOAN (potential funding sources include general funds, Code of Iowa 24.6 or 384.8).

List proposed annual payments over a period of time not to exceed 20 years. List repayment fund sources.

Repayment Schedule

Year	Amount	Fund Source	Year	Amount	Fund Source
<u>2026</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>	<u>2036</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>
<u>2027</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>	<u>2037</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>
<u>2028</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>	<u>2038</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>
<u>2029</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>	<u>2039</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>
<u>2030</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>	<u>2040</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>
<u>2031</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>	<u>2041</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>
<u>2032</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>	<u>2042</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>
<u>2033</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>	<u>2043</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>
<u>2034</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>	<u>2044</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>
<u>2035</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>	<u>2045</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>

Loan Request \$ 1,000,000.00

5. Please provide a summary of expenditures and projected costs over and above normal expenditures directly related to the disaster. (Force account, contractors, number of personnel, duration, operating expenditures, reconstruction, etc.)

Entire amount is for street repairs

SITE		Estimated Cost to Improve and Replace	FEMA Public Assistance Program Repair Funding Estimate	Difference
Site 10 (2026-2027)	Main St	\$ 788,760.00	\$ 30,757.80	\$ 758,002.20
Site 6 (2028-2029)	3rd St	\$ 514,080.00	\$ 32,114.15	\$ 481,965.85
Site 1 (2030)	2nd Ave	\$ 560,700.00	\$ 35,040.02	\$ 525,659.98
Site 2 (2031)	4th St	\$ 592,200.00	\$ 53,032.09	\$ 539,167.91
Site 5 (2032-2033)	4th Ave	\$ 674,100.00	\$ 34,060.82	\$ 640,039.18
Site 7 (2034)	3rd St	\$ 497,700.00	\$ 15,813.68	\$ 481,886.32
Site 3 (2029/2035)	3rd Ave	\$ 699,300.00	\$ 50,611.95	\$ 648,688.05
Site 8 (2036)	1st Ave	\$ 515,340.00	\$ 33,093.21	\$ 482,246.79
Site 11 (2037-2038)	5th Ave	\$ 674,100.00	\$ 44,500.92	\$ 629,599.08
Site 9 (2039)	2nd St	\$ 642,600.00	\$ 105,302.49	\$ 537,297.51
Total		\$ 6,158,880.00	\$ 434,327.13	\$ 5,724,552.87
			Total Funding Gap for 10 of 11 Sites	\$ 5,724,552.87

On behalf of the public entity. I, the authorized representative, certify that if a loan is approved by the Executive Council, the loan moneys will be spent on 75% of the over and above costs directly related to the disaster or incident.

Eric Brooks, Mayor
Name, Official Position

City of Portsmouth
Public Entity

RESOLUTION # 1-1-2026

A Resolution calling for the statutory repayment of state disaster aid for losses incurred due to Severe Weather on May 20, 2024
 (incident) (date/s)

BE IT RESOLVED BY THE City Council
 (Governing Body)

OF The City of Portsmouth that the State Disaster Aid shall be

repaid according to State Statutes in the following manner:

Total Amount of Proposed Loan: \$ 1000000.00
 Date of Application: January 2026

Statutory repayment Period: MAXIMUM 20 Years

REPAYMENT SCHEDULE

<u>YEAR/AMOUNT</u>			<u>YEAR/AMOUNT</u>		
<u>2026</u>	\$ <u>50000</u>	<u>Debt Service</u>	<u>2036</u>	\$ <u>50000</u>	<u>Debt Service</u>
<u>2027</u>	\$ <u>50000</u>	<u>Debt Service</u>	<u>2037</u>	\$ <u>50000</u>	<u>Debt Service</u>
<u>2028</u>	\$ <u>50000</u>	<u>Debt Service</u>	<u>2038</u>	\$ <u>50000</u>	<u>Debt Service</u>
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<u>2030</u>	\$ <u>50000</u>	<u>Debt Service</u>	<u>2040</u>	\$ <u>50000</u>	<u>Debt Service</u>
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<u>2035</u>	\$ <u>50000</u>	<u>Debt Service</u>	<u>2045</u>	\$ <u>50000</u>	<u>Debt Service</u>

Loan Request \$ 1000000.00

Total to be Repaid: \$ 1000000.00

BE IT FURTHER RESOLVED THAT these 20 annual payments shall be considered as 6801 - Principal under the Debt Service fund
 (budget line item) (name of account)
 and to be paid out of the same.

PASSED AND APPROVED this the 5th day of January, 2026.



Mayor's Signature

ATTEST:
Ramona Andrews

Clerk or Secretary of Governing Body

Roll Call:
5 Ayes
____ Nays
____ Absent
____ Abstain

REPORT AND RECOMMENDATION
of
DIRECTOR, IOWA DEPARTMENT OF HOMELAND SECURITY AND
EMERGENCY MANAGEMENT
on
Application for State Disaster Aid
Authorized by Section 29C.20 Code of Iowa

By: Mayor Eric Brooks on behalf of City of Portsmouth, Iowa
(Governmental Subdivision)

1. The above designated requesting official is the duly authorized representative of the indicated Governmental Subdivision, which is the political entity primarily responsible, under the criteria established by Executive Council Policy implementing the provisions of the State Disaster Contingency Fund (29C.20, Code of Iowa, Administrative Rules, 361-2.5 (29C)), for coping with a disaster, actual or anticipated, occurring within the area occupied by such Governmental Subdivision.

2. The designated requesting official has certified that the total expenditures and obligations by the indicated Governmental Subdivision, over and above normal expenditures and obligations, for disaster aid for which no reimbursement has been or will be received, amounted to or exceeds \$ 6,013,788 which amount is at least 25% greater than the amount requested in Application, and set forth in paragraph 4, hereafter.

3. I have designated an investigative official, who proceeded to the site of the disaster, or impending disaster, for the purpose of verifying the information submitted in Form SDA-3, and otherwise interviewing appropriate officials and examining records, and who has submitted the report to me as to the matters investigated by designee.

4. I have personally reviewed the Application and supporting documents, and based upon this examination and the report of the Investigative Official, do hereby recommend approval thereof by the Executive Council of the said Application for a loan in an amount not to exceed \$ 1,000,000, or for such amounts may be determined, in the discretion of the Executive Council, for the purposes authorized in Section 29C.20 of the Code of Iowa.

DATE: _____

John R. Benson Digitally signed by John R. Benson
Date: 2026.03.19 15:05:54 -05'00'

Director, Iowa Department of Homeland Security and Emergency Management

**REVIEW OF APPLICATION
FOR STATE DISASTER AID
(Iowa Code 29C.20)**

POLITICAL SUBDIVISION - City of Portsmouth

Date of Review of Application Package: _____

Reason for Request: Severe Weather on May 20th, 2024 caused substantial damage to city streets, requiring major repairs to city infrastructure.

Population: 187 (2020)

Resolution: 1-1-2026

Application Made: February 17, 2026

Certificate for Application: January 5th, 2026

Amount of Request: \$1,000,000

* Assessed Valuation: \$6,577,200

* Has applicant petitioned the state board for approval to make emergency tax levy?

Not at this time

* What other obligations will be paid from this emergency request?

All funds will be used to pay for the repair of the streets

* Proposed method and/or time frame to repay state disaster loan:

Debt service will be used to repay this loan at \$50,000 per year for 20 years

* Recommendations:

I recommend that this loan be approved in the amount of \$1,000,000

Dennis T Harper Digitally signed by Dennis T Harper
Date: 2026.03.19 15:02:03 -05'00'
Date _____ Signature of Reviewer

State of Iowa
Contingent Fund Loan
Contact and Information Sheet

Name of Applicant:

City of Portsmouth

Payment Information:

Payee:

City of Portsmouth

Attention to:

Laura Anderson, City Clerk

Address:

P.O. Box 188, Portsmouth, IA 51565

Contact information for future correspondence and reminders:

Name:

Laura Anderson, City Clerk (primary)


Email address:

portsmouthiowa@gmail.com

Phone Number:

712-743-2044

Notes:



State of Iowa
Executive Department

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

PROCLAMATION OF DISASTER EMERGENCY

WHEREAS, on May 20, 2024, and continuing thereafter, a series of severe storm systems affected the state of Iowa; and

WHEREAS, this storm system caused severe weather, including damaging winds, straight-line winds, tornados, heavy rains, thunderstorms and flash flooding, resulting in significant damage to public and private property, power outages resulting from downed power lines and poles and large debris piles; and

WHEREAS, Calhoun, Cerro Gordo, Johnson, Keokuk, Marion, Scott, Shelby, Union, Washington and Wright Counties suffered significant damage from this event; and

WHEREAS, reports forwarded to the Iowa Department of Homeland Security and Emergency Management by the emergency management coordinators and others in the affected counties indicate that local resources and capabilities have been exhausted and that state assistance and resources are needed to respond to and recover from the effects of this event; and

WHEREAS, reports forwarded to the Iowa Department of Homeland Security and Emergency Management by the emergency management coordinator within the affected counties indicate that state individual assistance pursuant to Iowa Code § 29C.20A and Iowa Admin. Code 605-11.2(1) is needed to assist certain individuals and families adversely affected by the disaster who cannot be helped by other means of financial assistance and for whom federal assistance under the Stafford Act is either not available or does not adequately meet the needs of the citizens in the disaster area; and

WHEREAS, these conditions threaten the public peace, health, and safety of citizens of the State of Iowa and have damaged and destroyed public and private property. Because of this, they provide legal justification for the issuance of a Proclamation of Disaster Emergency pursuant to Iowa Code § 29C.6 (1).

NOW, THEREFORE, I, KIMBERLY K. REYNOLDS, Governor of the State of Iowa, by the power and authority vested in me by the Iowa Constitution Art. IV, §§ 1, 8 and Iowa Code § 29C.6 (1), and all other applicable laws, do hereby proclaim a **STATE OF DISASTER EMERGENCY** for Calhoun, Cerro Gordo, Johnson, Keokuk, Marion, Scott, Shelby, Union, Washington and Wright Counties and do hereby **ORDER** and **DIRECT** the following:

SECTION ONE. As required by Iowa Code § 29C.6 (1), (10) and 42 U.S.C. § 5170 in cases of Presidential Disaster Declarations, this Proclamation of Disaster Emergency activates the disaster response and recovery aspects of the Iowa Department of Homeland Security and Emergency Management's Iowa Emergency Response Plan and those additional response plans applicable to the counties affected by this disaster and authorizes the use and deployment of all available state resources, supplies, equipment, and materials as are reasonably necessary to assist those citizens located in the disaster counties.

SECTION TWO. I authorize the Iowa Department of Homeland Security and Emergency Management under the terms and conditions as allowed by Iowa law to render individual disaster assistance to eligible residents of Calhoun, Cerro Gordo, Johnson, Keokuk, Marion, Scott, Shelby, Union, Washington and Wright Counties.

SECTION THREE. The Iowa Department of Homeland Security and Emergency Management, the county emergency management coordinators, and any other state agencies and private organizations providing services associated with the Iowa Individual Assistance Grant Program or Iowa Disaster Case Advocacy are authorized to share any information necessary to ensure appropriate resources are provided to eligible residents impacted by this disaster. Such information may be shared throughout the implementation of the programs and shall continue for as long as needed to provide necessary services to residents impacted by this disaster, to include after the formal closure of the program(s).

SECTION FOUR. I temporarily suspend the regulatory provisions of Iowa Admin. Code 11-53.11(3) prohibiting pay to those State of Iowa employees for hours worked in excess of 40 hours per workweek while present in the State's Emergency Operations Center or otherwise engaged in assigned disaster response missions or other activities. This suspension shall be retroactive to the initial activation of the State's Emergency Operations Center.

SECTION FIVE. I temporarily suspend the regulatory provisions of Iowa Code Chapter 8A, Iowa Code § 313.10, Iowa Admin. Code chapters 11-117, 11-118 requiring the Iowa Department of Homeland Security and Emergency Management, the Iowa Department of Transportation, the Iowa Department of Public Safety, the Iowa Department of Health and Human Services, the Iowa Department of Natural Resources and other state agencies involved in the response to this disaster emergency to procure goods and services through a competitive selection process. Suspension of these provisions is limited to the duration of this proclamation and is further limited to procurements which are necessary to respond to this disaster emergency.

SECTION SIX. I temporarily suspend the regulatory provisions of Iowa Code § 321.449 pertaining to hours of service for disaster repair crews and drivers delivering goods and services while responding to disaster sites during the duration of this disaster, subject to these conditions:

- A. Nothing contained in this proclamation shall be construed as an exemption from the controlled substances and alcohol use and testing requirements under 49 CFR Part 382, the commercial drivers' license requirements under 49 CFR Part 383, the financial responsibility requirements of 49 CFR Part 387, or any other portion of the Code of Federal Regulations not specifically identified in this proclamation.
- B. No motor carrier operating under the terms of this proclamation shall require or allow a fatigued or ill driver to operate a motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive hours off duty before the driver is required to return to service.
- C. Upon the request of a driver, a commercial motor carrier operating under this proclamation must give a driver at least thirty-four (34) consecutive hours off when the driver has been on duty for more than seventy (70) hours during any eight consecutive days.
- D. Motor carriers that have an out-of-service order in effect may not take advantage of the relief from regulations that this declaration provides under title 49 CFR § 390.23.
- E. Upon the expiration of the effective date of this proclamation, or when a driver has been relieved of all duty and responsibility to provide direct assistance to the emergency effort, a driver that has had at least thirty-four (34) consecutive hours off duty shall be permitted to start his or her on-duty status hours and 60/70 hour clock at zero.

SECTION SEVEN. I temporarily suspend the regulatory provisions of Iowa Code §§ 321.463(6) (a) and (b) and 321E.29 and Iowa Admin. Code 761-511, to the extent those provisions restrict the movement of loads related to disaster repairs on all highways within Iowa, excluding the interstate system, and require a permit to transfer such loads, when such loads:

- F. Do not exceed a maximum of 90,000 pounds gross weight,
- G. Do not exceed by more than twelve and one-half percent (12.5%) the maximum axle weight limit determined under the non-primary highway maximum gross weight table in Iowa Code § 321.463(6) (b),
- H. Do not exceed the legal maximum axle weight limit of 20,000 pounds, and
- I. Comply with posted weight limits on roads and bridges.

SECTION EIGHT. I do hereby suspend the regulatory provisions of Iowa Code § 321.42(2)(b) prescribing a five (5) day waiting period for issuance of a replacement copy of an original certificate of title to the owner of a vehicle, as applied to an owner whose original certificate of title was lost or destroyed as a result of the above-described severe weather and flooding. A written statement by the owner, in or appended to the owner's application for replacement copy of original certificate of title, confirming that the original certificate of title was lost or destroyed as a result of the above-described severe weather and flooding shall be required to invoke this suspension. Iowa Code § 29C.6 (6).

SECTION NINE. I do hereby suspend the regulatory provisions of Iowa Code § 321.42(2)(a) prescribing a fee for issuance of a replacement copy of an original certificate of title, as applied to an owner or lienholder whose original certificate of title was lost or destroyed as a result of the above-described severe weather and flooding. A written statement by the owner or lienholder, in or appended to the owner's or lienholder's application for replacement copy of original certificate of title, confirming that the original certificate of title was lost or destroyed as a result of the above-described severe weather and flooding shall be required to invoke this suspension. Iowa Code § 29C.6 (6).

SECTION TEN. I do hereby suspend the regulatory provisions of Iowa Code § 321.42(1) prescribing a fee for issuance of a replacement registration card, plate or pair of plates, as applied to any registration card, plate or pair of plates lost in or made illegible as a result of the above-described severe weather and flooding. A written statement by the owner, in or appended to the application for same, confirming that the registration card, plate or pair of plates was lost or made illegible as a result of the above-described severe weather and flooding shall be required to invoke this suspension. Iowa Code § 29C.6 (6).

SECTION ELEVEN. I do hereby suspend the regulatory provisions of Iowa Code § 321.195 prescribing a fee for issuance of a duplicate or substitute driver's license or non-operator's identification card as applied to a person whose driver's license or non-operator's identification card was lost or destroyed in any one of the previously declared disaster counties as a result of the above-described severe weather and flooding. A written statement by the person, in or appended to the person's application for same, confirming that the person's driver's license or non-operator's identification card was lost or destroyed in any one of the disaster counties as a result of the above-described severe weather and flooding shall be required to invoke this suspension. Iowa Code § 29C.6 (6).

SECTION TWELVE. The suspensions listed in sections "eight" to "eleven" above apply to original certificates of title, registration cards, plates or pairs of plates, driver's licenses or non-operator's identification cards issued in any of the counties of Iowa, and may be relied upon by the treasurers of any of the counties of Iowa, so long as the respective loss, destruction, or illegibility occurred in any one of the disaster counties as a result of the above-described severe weather and flooding.

SECTION THIRTEEN. Pursuant to Iowa Code § 29C.6(6), and at the request on behalf of county recorders, I temporarily suspend the regulatory provisions of Iowa Code § 144.46, and any provisions of the Iowa Administrative Code implementing those provisions, to the extent they impose a fee collected by the State Registrar of Vital Statistics or a county

recorder's office for a certified copy or short form certification of a certificate or record, a search of the files or records when no copy is made, or when no record is found on file, so long as a person is attempting to replace records lost, destroyed, or rendered illegible as a result of the above-described severe weather to include the counties previously declared in the May 21 and 22, 2024 disaster proclamations.

SECTION FOURTEEN. This state of disaster emergency shall be effective immediately, shall continue for thirty (30) days, and shall expire on June 23, 2024, unless sooner terminated or extended in writing by me.



IN TESTIMONY WHEREOF, I HAVE
HEREUNTO SUBSCRIBED MY NAME AND
CAUSED THE GREAT SEAL OF THE STATE
OF IOWA TO BE AFFIXED AT DES MOINES,
IOWA THIS TWENTY-FOURTH DAY OF
MAY IN THE YEAR OF OUR LORD TWO
THOUSAND TWENTY-FOUR

Kim Reynolds

KIMBERLY K. REYNOLDS
GOVERNOR

ATTEST:

Paul D. Pate

PAUL D. PATE
SECRETARY OF STATE

BRENNA BIRD
ATTORNEY GENERAL

JACOB J. LARSON
ASSISTANT ATTORNEY GENERAL



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IOWA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

March 19, 2026

John Benson
Iowa Homeland Security and Emergency Management
7900 Hickman Road
Windsor Heights, Iowa 50324

RE: Contingent Fund Loan Application – City of Portsmouth

Dear Director Benson:

Pursuant to your request, I have reviewed the Application for Financial State Disaster Aid authorized by Iowa Code section 29C.20, which your department recently received from the City of Portsmouth (“the City”). I offer the following observations regarding compliance with the legal requirements set forth in Iowa Code section 29C.20 and the administrative rules of 361 Iowa Administrative Code chapter 2 that implement the same.

Iowa Code section 29C.20 establishes a state contingent fund under the control of the Executive Council which may be expended in the form of zero-interest loans to aid “any governmental subdivision in an area declared by the governor to be a disaster area due to natural disasters . . . where the effect of the disaster . . . on the governmental subdivision is the immediate financial inability to meet the continuing requirements of local government.” Iowa Code § 29C.20(1)(a)(6)(a).

Upon application, a governmental subdivision that has disaster related expenditures meeting this threshold may be awarded “a loan up to a limit of seventy-five percent of the showing of obligations and expenditures.” Iowa Code § 29C.20(1)(a)(6)(b). Furthermore, while the loan may be made at the discretion of the Executive Council, “[t]he aggregate total of loans shall not exceed one million dollars during a fiscal year.” *Id.* The repayment of a contingency fund loan must be made within 20 years. 361 Iowa Admin. Code rule 2.5(2).

On May 20, 2024, and continuing thereafter, a storm system causing severe weather, including heavy rains and flash flooding, impacted the State of Iowa, including Shelby County and the City. On May 24, 2024, Governor Reynolds issued a Proclamation of Disaster Emergency indicating Shelby County suffered significant damage from the storm and flooding.

Subsequently, on or about January 5, 2026, the City, a part of Shelby County, applied for contingent fund aid to finance the repair of a number of City streets that were washed out by the heavy rains and flooding caused by the 2024 storm.

The City states it expects to incur \$6,577,200.00 in actual replacement costs. The City has taken out a private loan for \$500,000.00 for the repairs, which will be repaid over 15 years, with an estimated additional \$250,000.00 in interest due over the 15 years. The City has received \$563,412.00 from FEMA for the repairs, but FEMA's award is limited to repairing the roads back to original condition, and the City wants to improve the roads to a more resilient state to mitigate against any future disasters or damage. However, the City has not otherwise received reimbursement from any other sources, including disaster grants or other funds for the anticipated repairs beyond what has already been identified, to improve the roads. As such, the City's outstanding, unfunded expenses for this project will total approximately \$6,013,788.00.

Because these costs are associated with replacing City property destroyed by a natural disaster, the expenditures appear to be for an eligible purpose under Iowa Code section 29C.20(1)(a)(6) and 361 Iowa Administrative Code rule 2.5(1). The City has also certified its actual and estimated expenditures are over and beyond normal expenditures and obligations, and for which no reimbursement has been made or will be received.

The City requests a disaster loan of \$1,000,000. This amount is below the seventy-five percent maximum of total expenditures authorized by law. See Iowa Code § 29C.20(1)(a)(6)(b). The City also proposes a repayment schedule of \$50,000.00 annually over a 20-year period, which will be repaid from the City's debt service funds.

Based on the information provided to me for review—and assuming the funds are applied appropriately, and that the statutory limit on the aggregate total of loans is not exceeded by this request—the City's request appears to comply with Iowa Code section 29C.20 and the administrative rules governing the contingency fund.

Sincerely,



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