



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

May 23, 2025

LOCAL

Executive Council of Iowa

Subject: Executive Council Agenda for June 2, 2025

I respectfully request time on the June 2, 2025, Executive Council Agenda for the City of Rock Valley'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 Rock Valley'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. 361-7.5(1)
 - 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 pursuant to Iowa Admin Code r. 361-7.5(1)
 - 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 pursuant to Iowa Admin Code r. 361-7.5(1)
- Attorney General's Office review pursuant to Section 29C.20
 - City of Rock Valley's request complies with the statute and rules governing the contingency fund

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

Sincerely,

Dennis T Harper

Digitally signed by Dennis T

Harper

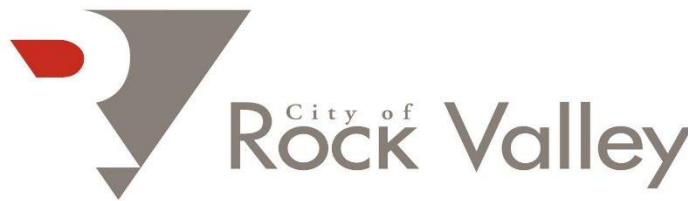
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Dennis Harper

Recovery Division Administrator

Enclosures

Mayor
Kevin Van Otterloo
City Administrator
Tom Van Maanen
City Clerk
Tina Vande Kamp



Council Members
Rod De Kam
Mark Faber
Char Granstra
Jeff Koldenhoven
Jeremy Van't Hul

May 9, 2025

Iowa Homeland Security & Emergency Management
Director John Benson
7900 Hickman Road – Suite 500
Windsor Heights, IA 50324

Dear Director John Benson,

I am writing to formally request a \$1,000,000 loan from the State Contingency Fund to support the recovery and rebuilding efforts necessitated by the catastrophic flooding event that struck our community on June 22, 2024. This unprecedented disaster caused widespread destruction, displaced families, devastated local businesses, and severely impacted essential infrastructure. With your support, we aim to restore stability, rebuild lives, and fortify our community against future events.

Our community has shown incredible resilience and unity during this challenging time. We have mobilized local resources and volunteers to address immediate needs, but the scale of this disaster has exceeded \$15 million. This loan will provide the crucial financial foundation to affordably finance the replacement of destroyed City vehicles and equipment that is essential to maintain City services and enhance residents' quality of life.

Thank you for considering our application. We are confident that, with your support, we can rebuild more strongly and become more resilient than ever before. Please feel free to contact me directly to discuss our proposal further or to arrange a site visit.

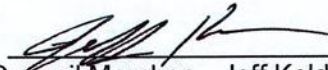
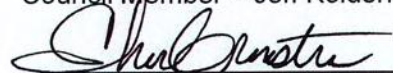
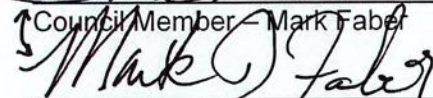
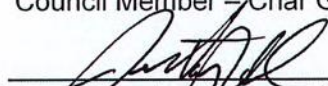
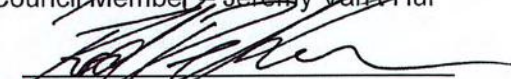
Sincerely,

A handwritten signature in black ink, appearing to read 'K. Van Otterloo', with a large, loopy flourish extending to the right.

Kevin Van Otterloo
Mayor
City of Rock Valley

Resolution No. 989-24CERTIFIED TRUE COPY OF RESOLUTION OF GOVERNING BODY
To Accompany Application for State Disaster Aid
Authorized by Section 29C.20 Code of IowaBE IT RESOLVED BY THE City Council OF THE City of Rock ValleyTHAT Kevin Van Otterloo, Mayor

is hereby authorized to execute for and on behalf of the City of Rock Valley, 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 19th day of December, 2024.
Council Member – Jeff Koldenhoven
Council Member – Mark Faber
Council Member – Char Granstra
Council Member – Jeremy Van't Hul
Council Member – Rod DeKam

ATTEST:

Tina Vande KampCity Clerk
(Signature)

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

I, Kevin Van Otterloo, do hereby certify that I have been
authorized by City Council of the City of Rock Valley

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 \$1,000,000.00.

DATE: December 19, 2024


(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 Rock Valley

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

b. Authorized Requesting Official

Kevin Van Otterloo, Mayor, City of Rock Valley

(Name, Official Title)

1303 10th Street, Rock Valley, Iowa 5247 712-476-5707

(Official Address, Phone, Fax)

c. Date of Application: December 20, 2024

d. Type of actual or impending disaster:

Flooding

e. Disaster occurred on or expected about:

June 21, 2024 – June 21, 2024 event

(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:

On June 21, 2025, the Rock Valley experienced a 1-in-5,000-year rain event, which created a crest of 27.7' which was 5' greater than any previously recorded crest on the Rock River. The level of flooding caused extensive damage to 500 residential structures, 25 businesses and city infrastructure. Most of the properties that were impacted by the flooding were located well outside of the FEMA flood map that been updated in 2022. The City experienced damage to the City Utilities & Maintenance Complex, Library, campground, bridges, streets, trails, water system, sewer treatment plant and storm sewer infrastructure.

Immediately following the flood, the City Council took action to issue 3 million dollars in bonds to pay for the flood damage and cleanup. These funds were quickly expended to pay for debris removal. The City Council then took action to secure a 10-million-dollar line of credit with the local banks to pay for the remaining cleanup and flood recovery efforts, while we wait for FEMA reimbursements to be processed. To date, the City has spent \$15,603,422 on flood related expenses. Ten months after the flood, we have four reimbursements requests currently being reviewed by FEMA, but we have not received any funds.

The City lost an extensive amount of equipment and vehicles. The insurance payout will not cover close to the replacement cost due to the age of the lost vehicles and equipment. Despite this, FEMA would not cover the replacement cost due to insurance providing some proceeds. The City of Rock Valley is requesting this loan to help cover some of the cost and reduce the interest being incurred through the bonds and line of credit issued immediately following the disaster.

2. DISASTER SUMMARY (continued):

b. Current estimate of disaster response and recovery costs:		ACTUAL	ESTIMATED
(1)	public losses (total of a, b, and c below)	<u>\$995,238.90</u>	<u>\$1,804,954.68</u>
(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	\$ _____	\$ _____
	2. dikes, levees, and drainage facilities	\$ _____	\$ _____
	3. public buildings and related equipment	<u>\$995,238.90</u>	<u>\$1,804,954.68</u>
	4. public utilities and public works	\$ _____	\$ _____
*	(2) Any other expenses of the disaster (explain on separate sheet)	\$ _____	\$ _____
	(3) Summation of (1) and (2) above	<u>\$995,238.90</u>	<u>\$1,804,954.68</u>

* 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 INFORMATIONCosts:

Actual cost	<u>\$995,238.90</u>
Estimated cost	<u>\$1,804,954.68</u>
A. Total Cost	<u>\$2,800,193.58</u>

Reimbursements:

Disaster Year Budget Amount (FY/24) (City budget)	<u>\$0</u>
Disaster Funds Received	<u>\$0</u>
Grants & Other Funds (CDBG, SCS, Rural Development)	<u>\$1,365,313.98 (insurance)</u>
B. Total Funds Received	<u>\$1,365,313.98</u>

C. Request Base Amount	<u>\$1,434,879.60</u>
D. Less 25%	<u>\$(358,719.90)</u>
E. The maximum amount that can be requested by the applicant	<u>\$ 1,076,159.70</u>

(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.)

- City's cost to replace vehicles and equipment included in this loan application is \$2,800,193.58. Insurance provided \$1,365,313.98 towards the purchase of replacement of the equipment. Unmet need of \$1,434,879.60 which will not be reimbursed by FEMA.

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.

Kevin Van Otterloo, Mayor
Name, Official Position

City of Rock Valley
Public Entity

RESOLUTION # 1009-25

A Resolution calling for the statutory repayment of state disaster aid for losses incurred
due to Flooding on June 16-July 23, 2024
(incident) (date/s)

BE IT RESOLVED BY THE City Council
(Governing Body)

OF The City of Rock Valley that the State Disaster Aid shall be
repaid according to State Statutes in the following manner:

Total Amount of Proposed Loan: \$1,000,000
Date of Application: December 20, 2024 rev 04-25-25

Statutory repayment Period: MAXIMUM 20 Years

REPAYMENT SCHEDULE

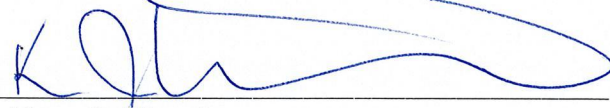
<u>YEAR/AMOUNT</u>			<u>YEAR/AMOUNT</u>		
<u>2026</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>	<u>2036</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>
<u>2027</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>	<u>2037</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>
<u>2028</u>	<u>\$ 50,000.00</u>	<u>Debt Service</u>	<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

Total to be Repaid: \$ 1,000,000

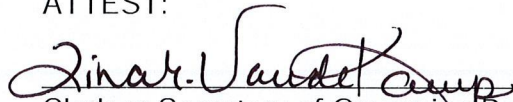
BE IT FURTHER RESOLVED THAT these 20 annual payments shall be
considered as 11-442-691 under the debt service fund
(budget line item) (name of account)
and to be paid out of the same.

PASSED AND APPROVED this the 8th day of May, 2025.



Mayor's Signature

ATTEST:



Clerk or Secretary of Governing Body

Roll Call:

4 Ayes

0 Nays

1 Absent

0 Abstain

Actual Expenses				
Equipment Lost	Replacement Equipment	Replacement Cost	Insurance Payout	Unmet Need
2002 International	2025 Peterbilt 548 dump truck	\$ 258,743.00	\$ 31,012.00	\$ 227,731.00
2003 Chevy	2024 Chevrolet K2500 pickup	\$ 50,000.00	\$ 13,541.00	\$ 36,459.00
2012 Freightliner	2025 Peterbilt 548 dump truck	\$ 251,291.00	\$ 78,494.00	\$ 172,797.00
2013 Peterbilt	Curbtender PowerPak - 27 yd garbage truck	\$ 324,634.00	\$ 71,705.00	\$ 252,929.00
2015 Chevy	2024 GMC Sierra 2500HD pickup	\$ 47,655.90	\$ 19,064.00	\$ 28,591.90
2020 Chevy	2024 Chevrolet Silverado 1500	\$ 43,515.00	\$ 24,925.00	\$ 18,590.00
2008 GMC	2019 Chevrolet Silverado 1500 pickup	\$ 19,400.00	\$ 13,288.00	\$ 6,112.00

Estimated Expenses				
Equipment Lost	Replacement Equipment	Replacement Cost	Insurance Payout	Unmet Need
2008 International	2025 Peterbilt 548 dump truck	\$ 279,453.00	\$ 37,122.00	\$ 242,331.00
2020 Peterbilt	Garbage truck	\$ 370,598.00	\$ 275,025.00	\$ 95,573.00
2022 Freightliner	2025 Peterbilt 548 dump truck	\$ 279,453.00	\$ 211,871.30	\$ 67,581.70
2015 Elgin	Elgin Pelican street sweeper	\$ 276,616.00	\$ 174,683.68	\$ 101,932.32
2019 Bobcat Toolcat	2024 Bobcat Toolcat UW56	\$ 73,615.80	\$ 50,000.00	\$ 23,615.80
2019 Case 90C with cab tractor	2025 Case IH 90C	\$ 73,155.14	\$ 56,000.00	\$ 17,155.14
2011 Yamaha	2020 Club Car	\$ 7,030.00	\$ 4,583.00	\$ 2,447.00
2024 NH Skidloader	2025 NHC L334	\$ 68,157.00	\$ 56,000.00	\$ 12,157.00
2007 O'Brien Sewer Jet	2024 O'Brien Sewer Jet	\$ 94,750.35	\$ 80,000.00	\$ 14,750.35
2021 Fair Snowblower	2024 Fair Snowblower	\$ 175,000.00	\$ 78,000.00	\$ 97,000.00
2005 Vermeer Vac	2024 Vermeer Vac	\$ 107,126.39	\$ 90,000.00	\$ 17,126.39

Total Replacement	Insurance Proceeds	Unmet Need
\$ 2,800,193.58	\$ 1,365,313.98	\$ 1,434,879.60
	25% reduction	\$ 358,719.90
	75% of unmet need for equipment replacement	\$ 1,076,159.70

Appendix A

Actual expenses & insurance proceeds for equipment & vehicles
available upon request.

**REVIEW OF APPLICATION
FOR STATE DISASTER AID
(Iowa Code 29C.20)**POLITICAL SUBDIVISION - City of Rock ValleyDate of Review of Application Package: 5-6-2025

Reason for Request: Rock Valley experienced a major flooding event in June 2024 which destroyed at least \$2,800,193.58 worth of City vehicles and equipment. City insurance will only cover \$1,365,313.98 for the equipment. The difference between the replacement cost and insurance is approximately \$1,434,879.60. This loan will help the City partly bridge the gap with an affordable, long-term financing option to purchase needed vehicles and equipment to maintain City services and support the welfare and safety of residents and businesses.

Population: 4,045 (2023)Resolution: 989-24Application Made: December 20, 2024Certificate for Application: December 19, 2024Amount of Request: \$1,000,000* Assessed Valuation: \$2,800,193.58

* 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 vehicles and equipment.

* 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.

Digitally signed by Dennis T Harper
Date: 2025.05.13 15:12:06 -05'00'

Date

Signature of Reviewer

Dennis T Harper

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 Kevin Van Otterloo on behalf of City of Rock Valley, 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, 261-7.1 (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 \$1,434,879.60 which amount is at least 25% greater than the amount requested in Application, and set forth in paragraph 4, hereafter.

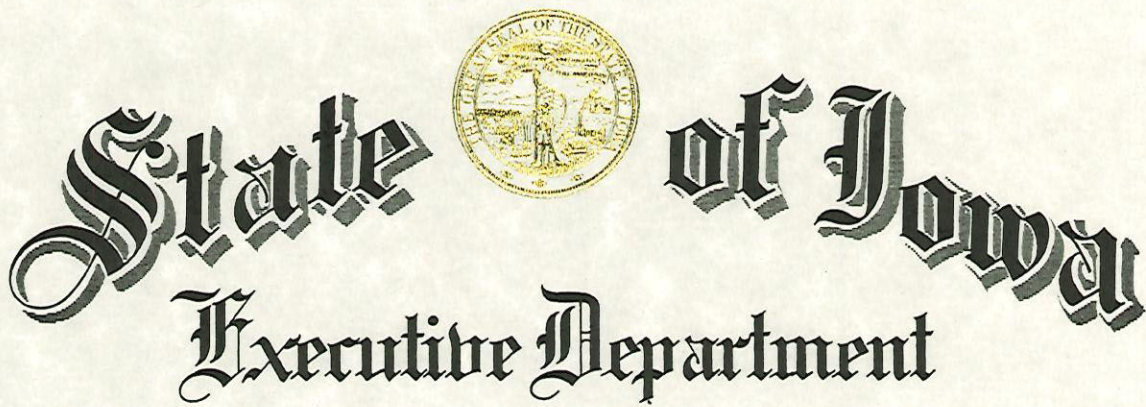
3. I have designated an investigative official, who proceeded to the site of the disaster, or impending disaster, for the purpose of verifying the information submitted in Form SDA-3, and otherwise interviewing appropriate officials and examining records, and who has submitted the report to me as to 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: 2025.05.13 15:22:46 -05'00'

Director, Iowa Department of Homeland Security
and Emergency Management



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

PROCLAMATION OF DISASTER EMERGENCY

WHEREAS, on June 21, 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 record 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, Buena Vista, Cerro Gordo, Cherokee, Clay, Dickinson, Emmet, Floyd, Hancock, Humboldt, Kossuth, Lyon, O'Brien, Osceola, Plymouth, Pocahontas, Webster, Winnebago, Woodbury, Worth 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 Buena Vista, Cerro Gordo, Cherokee, Clay, Dickinson, Emmet, Floyd, Hancock, Humboldt, Kossuth, Lyon, O'Brien, Osceola, Plymouth, Pocahontas, Webster,

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 Buena Vista, Cerro Gordo, Cherokee, Clay, Dickinson, Emmet, Floyd, Hancock, Humboldt, Kossuth, Lyon, O'Brien, Osceola, Plymouth, Pocahontas, Webster, Winnebago, Woodbury, Worth 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.

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. This state of disaster emergency shall be effective immediately, shall continue for thirty (30) days, and shall expire on July 22, 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-SECOND DAY OF
JUNE IN THE YEAR OF OUR LORD TWO
THOUSAND TWENTY-FOUR

KIMBERLY K. REYNOLDS
GOVERNOR

ATTEST:

PAUL D. PATE
SECRETARY OF STATE

State of Iowa
Contingent Fund Loan
Contact and Information Sheet

Name of Applicant:

____ City of Rock Valley _____

Payment Information:

Payee:

____ City of Rock Valley _____

Attention to:

____ Tina Vande Kamp, City Clerk _____

Address:

____ 1303 10th St., PO Box 100, Rock Valley, IA 51247 _____

Contact information for future correspondence and reminders:

Name:

____ Tina Vande Kamp, City Clerk(primary) _____

Email address:

____ tina@cityofrockvalley.com _____

Phone Number:

____ 712-476-5707 _____

Notes:

BRENNA BIRD
ATTORNEY GENERAL

KEVIN PROTZMANN
ASSISTANT ATTORNEY GENERAL
AGENCY COUNSEL DIVISION



IOWA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

1305 E. WALNUT ST.
DES MOINES, IA 50319
Main: 515-281-5164 • Direct: 515-281-6690
Email: kevin.protzmann@ag.iowa.gov
www.iowaattorneygeneral.gov

May 15, 2025

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

RE: Contingent Fund Loan Application – City of Rock Valley

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 Rock Valley (“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 June 21, 2024, and continuing thereafter, a storm system causing severe weather and flooding impacted the State of Iowa, including Sioux County and the City. On June 22, 2024, Governor Reynolds issued a Proclamation of Disaster Emergency indicating Sioux County suffered significant damage from the storm and flooding.

Subsequently, on May 9, 2025, the City, a part of Sioux County, applied for contingent fund aid to finance the replacement of City vehicles and equipment destroyed or damaged beyond repair by the 2024 flood. The City's losses include dump trucks, garbage trucks, street sweepers, an industrial snowblower, and other vehicles and equipment essential to providing municipal services to the City's residents.

The City states it has incurred \$995,238.90 in actual replacement costs, and it expects to incur additional costs estimated at \$1,804,954.68, for a total of \$2,800,193.58. The City has received \$1,365,313.98 from insurance to defray these actual and estimated expenses. However, the City has not otherwise received reimbursement from any other sources, including disaster grants or other funds. As such, the City's outstanding, unfunded expenses for this project are \$1,434,879.60.

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,

A handwritten signature in black ink that reads "Kevin Protzmann". The signature is written in a cursive, slightly slanted style.

Kevin Protzmann
Assistant Attorney General
Agency Counsel Division