


State of Iowa
Executive Department

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

PROCLAMATION OF DISASTER EMERGENCY

WHEREAS, on September 14, 2019, flooding began to impact the State of Iowa due to unseasonably heavy rains and extreme runoff in the upper Missouri River basin combined with existing damages to levee systems along the Missouri River due to previous flooding experienced in the spring and summer of 2019; and

WHEREAS, this emergency event has caused significant adverse impacts to the state's transportation system; and

WHEREAS, this emergency event has prompted affected local governments to declare local disaster emergencies because of the flood conditions; and

WHEREAS, reports forwarded to the Iowa Department of Homeland Security and Emergency Management by the emergency management coordinators in the affected counties indicate that state individual assistance pursuant to Iowa Code § 29C.20A and 441 Iowa Admin. Code 58.2 (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, emergency repairs, restoration or reconstruction is necessary to certain roadways to restore safe and adequate transportation to areas affected by this disaster and the anticipated costs of the repair projects will exceed one million dollars (\$1,000,000); and

WHEREAS, strict compliance with Iowa Code § 313.10 (2), which imposes a one million dollar (\$1,000,000) emergency bid letting limitation on the Iowa Department of Transportation, will prevent, hinder or delay the rapid restoration or emergency repair of critical roadways; 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 a State 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** in Fremont, Harrison, Mills and Pottawattamie 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 affected counties.

SECTION TWO. I authorize the Iowa Department of Human Services under the terms and conditions as allowed by Iowa law to render individual disaster assistance to eligible residents of Fremont, Harrison, Mills and Pottawattamie counties. Iowa Code § 29C.20A and 441 Iowa Admin. Code 58.2 (1).

SECTION THREE. I temporarily suspend the competitive bidding requirements applicable to the Iowa Department of Transportation under Iowa Code § 313.10 (2) in respect to construction, repairs, or improvements of roadways and bridges requiring emergency repair to restore safe and adequate transportation to the disaster counties, when the cost of the necessary work exceeds one million dollars (\$1,000,000). Iowa Code § 29C.6 (6).

SECTION FOUR. This state of disaster emergency shall be effective on September 18, 2019, shall continue for thirty (30) days, and shall expire on October 18, 2019, unless sooner terminated or extended in writing by me. Iowa Code § 29C.6 (1).



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 EIGHTEENTH DAY OF
SEPTEMBER IN THE YEAR OF OUR LORD
TWO THOUSAND NINETEEN

Kim Reynolds

KIMBERLY K. REYNOLDS
GOVERNOR

ATTEST:

Paul D. Pate

PAUL D. PATE
SECRETARY OF STATE