

MAY 2024

# CITYSCAPE

A PUBLICATION OF THE IOWA LEAGUE OF CITIES



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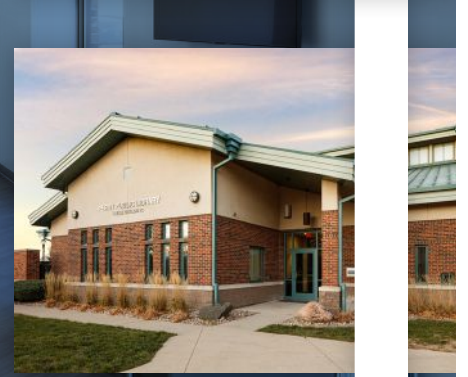
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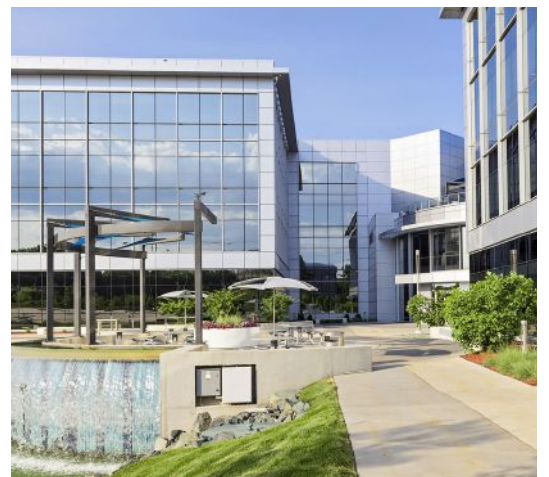
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## And So It Begins Again...

As with most employers, the League has a cycle of work. For instance, the day after our Annual Conference is completed, we begin planning and coordinating the next conference the following Monday. We have similar cycles for training, board meetings and other events, including the end of the legislative session.

The Iowa Legislature adjourned *Sine Die* in the early morning hours of April 18 (which reminds me of what my father used to say – nothing good ever happens after midnight, but that is a different topic to address). The sound that city officials usually hear upon adjournment is their collective sigh of relief. This is where we typically insert the often-cited quote that “no man’s life, liberty, or property is safe while the legislature is in session.” But, this also means that we all need to get started on preparation for the 2025 legislative session.

The first step is reporting on the outcome of the completed legislative session. The League’s Government Affairs team is already working on the *New Laws of Interest Special Report*. Since many law changes are effective July 1, our target is publication in June so cities can be prepared. League staff will also provide legislative updates to a multitude of groups.

A critical step is to hear from our members. While Iowa is a Home Rule state and we spend a significant amount of time defending cities

against state and, increasingly, federal preemptions, there are also issues we can proactively pursue to make changes and updates to state policy. In the next few weeks we will be sending a legislative survey that allows our members to identify issues that the League can investigate. While we always have our eyes and ears to city needs, this more formal process can be of great assistance.

The information will be used by the League’s Legislative Policy Committee. This committee is given the task of developing a strategic plan and action items for the next session. The committee is scheduled to meet on May 15 in Cedar Rapids for a day-long planning session. The League’s Executive Board has also been invited to attend this meeting as they will ultimately decide what is presented to the League membership at the Annual Business Meeting in the Fall.

While we know what we will be doing this summer, we also have homework for you! First, if you have not already done so, develop a relationship with the legislators who represent your city. This means taking the time to get to know them on a personal level. Like you and I, they have interests and hobbies outside of their legislative work. Put in the effort to have them attend city functions – a city council meeting, a ribbon cutting, or provide a tour of a newly updated city facility. Help them to better understand the work your city does.

The benefit of developing these relationships is access. If a legislator only hears from a constituent during session and on an issue that they angrily oppose, it is human nature to turn away or ignore them. However, if they know you they are far more likely to respond to you, especially if you are respectful, due to your ongoing relationship. The gold standard is having a relationship where they have shared their cell phone number. If you get that, remember to not abuse it.

Now, having this to-do list does not mean you should ignore your summer and fall duties, but a little time preparing now will pay dividends next January. «



*Alan Kemp is the Executive Director for the Iowa League of Cities.*

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**Upcoming Events & Important Dates**

**Nuisance Abatement Conference**

May 23 - Indianola

**Iowa League of Cities Annual Golf Tourney**

June 14 - Ankeny



Learn more and register at [www.iowaleague.org](http://www.iowaleague.org)

Listen to the League's podcast online



the square

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**Annual Conference & Exhibit**  
**September 18-20 | Sioux City**

Our delegate brochure will be in the June issue of *Cityscape* and you can start scoping out what workshops you want to attend. Conference registration opens on June 3 and the Housing Bureau will open shortly after. The League's conference housing information will be sent after you register for the conference and the link will be sent from League staff.

More details at [www.iowaleague.org](http://www.iowaleague.org).

SIOUX CITY | SEPTEMBER 18-20 | 2024



**Essay Winners**

Lt. Gov. Adam Gregg presented the awards to the winners of the If I Were Mayor Essay Contest open to all Iowa 7th graders. Congratulations to Mirabel Abraham, Amelia Eapen, Abi Hemesath, and Bristol Miller. Each student receives a college scholarship as part of the award. Thank you to every student who submitted essays. With more than 600 submissions, there were many incredible essays and we see many future leaders in Iowa's youth.

## Municipal Clerks Week

A massive thank you to all municipal clerks out there! Iowa’s cities could not run without you and you are often the point of contact for communities at the local level. May 5 through May 11, 2024 is the 55th Annual Professional Municipal Clerks Week and we celebrate the many ways municipal clerks support local government and democracy across Iowa.

Thank You!



On April 17, Iowa League of Cities hosted IMFOA Spring Conference attendees to an open house at our newly renovated offices. The League and IMWCA staff had a great time meeting with everyone who joined!

## Nuisance Abatement Conference

The League’s annual Nuisance Abatement Conference will be held Thursday, May 23 at Simpson College in Indianola. The day-long conference held in the spring features a variety of sessions aimed to provide assistance on nuisance property issues and ways cities can improve neighborhoods.



Registration is now open at [www.iowaleague.org](http://www.iowaleague.org).

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Registration is now open and the cost is \$85 per participant. Several sponsorships are also available, learn more at [www.iowaleague.org](http://www.iowaleague.org).

**Schedule:**

- 8 a.m. – Golf Registration and Driving Range Open
- 9 a.m. – 18-Hole Scramble (best-shot) with a Shotgun Start (4-player teams)
- 11:30 a.m. – Lunch Served from Club House on the turn
- 2 p.m. (or when all golfers are done) – Raffle Drawing





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## New Laws Preview

Daniel Stalder, Government Affairs Manager for the Iowa League of Cities. He can be reached at (515) 244-7282 or [danielstalder@iowaleague.org](mailto:danielstalder@iowaleague.org).

The legislative session is a time of great change and the 2024 session has been no different. In order to get up to speed on what passed into law, the Iowa League of Cities publishes “*New Laws of Interest to Cities*” on an annual basis after the session closes. This document will be available online and through various email updates from the League. We will also publish it in *Cityscape* as an insert in the near future. Please know that like past editions of *New Laws of Interest*, this is not legal guidance. Rather it is designed to put a lot of content on your radar and give you the resources to ask more questions, and we always recommend that be to an attorney.

As of the time of writing, several bills have been passed by the legislature and sent to the Governor and a few have been signed into law. First, Senate File (SF) 2096 was signed into law on April 3, which strikes *Code of Iowa* Section 69.16A. This section of code requires political subdivisions maintain gender balance on appointive boards and commissions. Second, SF 2331, which provides guardrails and new regulations on “newspapers of record” when providing publication notices, has passed both chambers and is eligible for a signature by the Governor. It is possible that this has been signed into law by the time you read this.

In addition to knowing when a piece of legislation gets signed, it is equally important to know what the “effective date” of the legislation is. Many pieces of legislation are quiet on the topic, which means that it will go into effect on July 1, 2024. It is, however, possible that a piece of legislation has a delayed implementation to give the

impacted groups time to adjust or change policies or practices before the legislation takes effect. In rare cases, legislation can be retroactively applicable, meaning that once the legislation is signed the law was changed for past actions and situations. These are critically important to keep aware of.

Several bills that the League tracked and worked on changing did not get signed into law, and we expect to see these again in 2025. The perpetual conversation of pensions and public safety costs is a tenet of the Legislature and while some pieces passed, we expect this conversation to continue next year. Land Redevelopment Trusts, or land banks, also will likely see more consideration in future years. It is safe to say we expect to work on revenue and cost drivers in 2025, as well. Whether this is a well-rounded discussion of property taxes, tweaks to the Local Option Sales and Services Tax, or even smaller changes to fees remains to be seen, but the conversation around these topics is another evergreen topic of the legislative process.

There is a common adage in the capitol: those seeking to pass legislation only need to get it right once, those seeking to stop legislation need to get it right every year. I share this perspective to remind you that the next legislative session is right around the corner and should not be viewed as a distant destination. Contact your legislators during the interim to talk about what good policy looks like to local governments and how your city can be a part of building a stronger, more successful Iowa. ‹‹

## Frequently Asked Questions About Codification



*Simmering-Cory | Iowa Codification is an Iowa owned company with over 30 years of experience helping communities develop and maintain their codes. For more information on our services please feel free to reach out to Jennifer Movall (jennifer@sc-ic.com) or Justin Yarosevich (justin@sc-ic.com) or give us a call at 641-357-7595.*

The city code is a critical document in the day-to-day management of a community, so what are the answers to some of those most frequently asked questions?

### Q: How often does the Code need to be updated?

Section 380.8 of the *Code of Iowa* provides a couple of options for keeping your city code current including the following:

Option 1. Section 380.8(1)(C) of the *Code of Iowa* requires that, at a minimum, the city code must be updated at least once every five years.

Option 2. Section 380.8(1)(B) provides that a city can update its city code at least annually by adding new ordinances and amendments to ordinances into the Code.

Many of our clients choose to set up a regular schedule for updating their city code either as ordinances are adopted, quarterly, bi-annually, or annually. In updating the city code, we can also help the city keep its online code current.

### Q: How does the city go about adopting the *International Building Code* as our building code?

Cities that adopt previously established, either statewide or nationally recognized, code must do so in compliance with Section 380.10 of the *Code of Iowa* which requires that the statewide or nationally recognized code be adopted by ordinance with the specific edition. For example, a city cannot just adopt the *International Building Code*, they must adopt the *International Building Code*, 2021 Edition.

Other statewide and nationally recognized codes that are commonly adopted include the Statewide Urban Design and Specifications manual, the International Property Maintenance Code, International Fire Code, and the International Residential Code.

It is also important to consider the following when adopting a statewide or nationally recognized code:

- In the international series of codes there are specific spots within those codes that are left with blanks for the local adopting jurisdiction to fill in based on their location and specific needs. These modifications must be part of the adopting ordinance that the city considers and approves.
- Some cities will also remove, add, or modify certain language within the statewide or nationally recognized code to meet the needs of their community.
- The *Code of Iowa* specifically requires that the city maintain a copy of the adopted Code in the office of the Clerk.

It is critical that the city adopting the statewide or nationally recognized code read the code that they are adopting and ensure that it is exactly what they want to enforce in their local jurisdiction.

*The League is proud to partner with Simmering-Cory | Iowa Codification.*

**Q: The City was recently charged by the Office of the State Public Defender for legal defense costs paid from the Indigent Defense Fund for an individual who was charged with a local ordinance violation, why did this happen?**

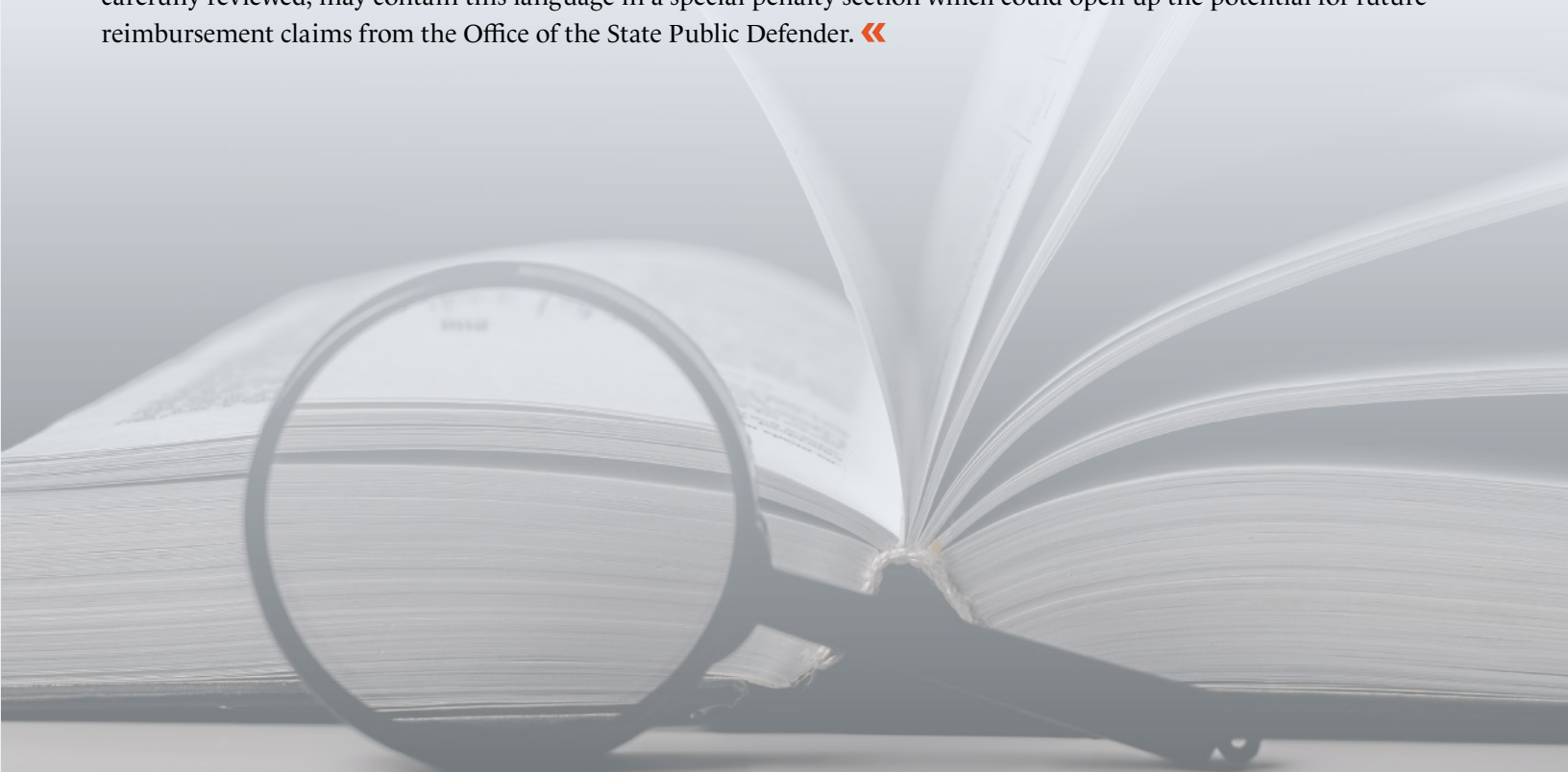
During the 2017 Legislative Session, the State Legislature passed Senate File 374 (amended by H-1214) which then allowed the Office of the State Public Defender to seek reimbursement from local jurisdictions for costs and expenses paid from the Indigent Defense Fund when defending an indigent person who was charged with a violation of a local ordinance if the individual faced the possibility of imprisonment. Section 815.15 of the *Code of Iowa* is the relevant section of the State Code to read regarding this language today.

Many cities modified their codes in 2017 and 2018 to remove the language in their Standard Penalty section that included the option for a maximum of 30 days imprisonment for a local ordinance violation, but some did not. With the imprisonment language still in the city's code, the city is open to the Office of the State Public Defender coming back to the local jurisdiction to seek reimbursement for those cases that fall under that legislation.

If a city wants to avoid these costs in the future, it is advisable to consider the removal of imprisonment language within the City Code. Cities should consult with their City Attorney to make sure this is the correct decision for them.

If you decide to modify the City Code to remove the language, keep in mind that while the most common location for the imprisonment language is in the Standard Penalty section of the Code it may also reside in other locations where certain specific penalties have been spelled out. One such location that is very common is within the penalty language of a Floodplain Management Regulation Chapter.

Cities who have removed this language in the past may want to take time for a quick review of their Code to ensure that all locations where imprisonment may be an option have been removed. Often the adoption of new ordinances, if not carefully reviewed, may contain this language in a special penalty section which could open up the potential for future reimbursement claims from the Office of the State Public Defender. <<



# Strategies for Phasing Infrastructure Expansion: Balancing Cost and Growth



Mitch Holtz, P.E. is a Project Manager at Strand Associates, Inc. and can be reached at [mitch.holtz@strand.com](mailto:mitch.holtz@strand.com).

In the face of rapid urbanization and/or economic development, Iowa communities are frequently challenged to expand infrastructure to meet population growth and industry needs. Public infrastructure capital improvements, such as expansion of roads, utilities, public buildings, and other essential services, command substantial financial investments. If not managed sensibly, the financial demands of these improvements can be burdensome to current ratepayers and taxpayers. Through strategic phasing of infrastructure expansion, careful planning for scalable improvements, and project prioritization, it is possible to mitigate these financial challenges and devise an effective and sustainable capital improvements plan.

## 1. Strategic Phasing of Infrastructure Expansion

Strategic phasing involves segmentation of infrastructure projects into manageable, sequential phases that align with current financial capabilities and future growth projections. This allows for the gradual expansion of infrastructure in response to projected demands, minimizing the short-term financial strain on current ratepayers and taxpayers.

### Key Strategies:

- **Assess Needs and Establish Priorities:** Begin with a comprehensive assessment of the community's current infrastructure needs and future growth projections. This is typically done with a comprehensive plan and/or risk assessment where projects are prioritized, with most critical improvements addressed first.
- **Implement Incrementally:** Divide larger projects into small, manageable phases. This allows for the allocation of costs over a longer period, reducing the immediate financial burden on taxpayers and ratepayers.

- **Design in Flexibility:** Incorporate flexibility into project designs to facilitate future expansion or modifications as needs evolve. This can prevent costly overhauls or design of entirely new facilities to accommodate growth.

**Project Example: City Sports Complex.** Assess the needs and priorities of the entire community regarding park improvements. This assessment is typically part of a Parks Master Plan that considers the growth of the community and possibly the region. The Parks Master Plan will aid stakeholders in determining how much park area is needed in the short and long term. The key decision is to purchase the right amount of land up-front, and then install playing fields as funds are available. Parking, concessions, playgrounds, etc. can all come over time as fundraising and budgets allow, provided the land has been secured.

## 2. Planning Improvements for Easy Expansion

Planning for infrastructure improvements with future expansion in mind is crucial to minimize future costs and disruptions. Foresight in planning can significantly reduce the need for comprehensive redesigns or expansions and facilitate smoother and more cost-effective scalability.

### Key Strategies:

- **Modular Design Principles:** Adopt modular design principles that allow for the easy addition of components or more capacity. For utilities like water treatment facilities, this could mean designing for installation of additional modules as demand increases.
- **Right-of-Way and Land Acquisition:** Secure right of way and necessary land in advance, considering future expansion needs. This can prevent future costly land acquisitions, disputes, and/or project delays.



- **Integration with Existing Infrastructure:** Design new projects to integrate seamlessly with existing infrastructure, supporting a cohesive, efficient network.

**Project Example: Wastewater Treatment Facility (WWTF).**

Long-range growth scenarios and future land use plans can help cities understand estimated flows during ‘ultimate’ buildout. However, a WWTF will not work correctly if constructed for ultimate flows, when initial flows are much smaller. Therefore, it is imperative that site selection and infrastructure be designed to allow for expansion to meet future needs using this modular approach.

**3. Project Prioritization to Reduce Burden**

The careful prioritization of infrastructure projects is essential for allocating limited resources to areas where they can provide the most benefit. Again, a structured risk assessment can objectively determine which projects offer the greatest benefit to the community.

**Key Strategies:**

- **Cost-Benefit Analysis:** Conduct thorough cost-benefit analyses to evaluate the economic, social, and environmental impacts of proposed projects. This analysis can help identify projects that offer the highest returns on investment.
- **Community Engagement:** Engage with the community to understand their needs and preferences. This can help align a project with public priorities and garner support for necessary rate or tax increases.
- **Leveraging Partnerships and Funding Opportunities:** Explore partnerships with private entities, other governmental agencies, and nonprofits to share costs and expertise. Additionally, take advantage of state and federal grants and funding programs to reduce the financial burden on local entities.

**Project Example: The “Surprise” Project.** New needs for communities come up every year. An example would be a company desiring to locate in your community that requires extension of city infrastructure. City leaders are in favor of

the new business but need to decide who will pay to extend utilities. Having future community improvements prioritized will aid in discussions among affected parties. Communities have limited funds and spending on new projects can impact the priority list. Having the priority list is the key so these difficult decisions can be justified.

**4. Increase Utility Rates Over Time**

Inflation, material and labor shortages, regulations, and other economic pressures have increased the infrastructure costs considerably over the last 10 years. Subsequently, costs to construct, operate, and maintain facilities have also greatly increased. Cities must continuously evaluate revenues against CIP budgets to stay ahead of capital-intensive projects so that tax-levies can remain steady.

**Key Strategies:**

- **Retain and Utilize a Municipal Financial Advisor:** Routine evaluation of city revenues and upcoming project costs (factoring in emergency expenditures) will help justify rate increases.
- **Set Political Expectations:** Nothing is harder than significantly increasing a water or sewer rate that has been stagnant for years. However, if rates are increased slowly and steadily over time, customers expect and can be more accepting of these changes.

**Conclusion**

Strategic phasing of infrastructure expansion, coupled with thoughtful planning for future scalability and prioritization of projects, presents a pragmatic approach to managing the financial implications of capital improvements. With these strategies, municipalities reduce the immediate burden on current ratepayers and taxpayers and lay the foundation for sustainable growth and development. Ultimately, the goal is to create a capital improvements plan that is financially viable and responsive to evolving community needs. ‹‹

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## Iowa Needs a Groundwater Plan

*Keith Schilling, PhD, State Geologist and Director, Iowa Geological Survey, University of Iowa.*

Several factors, some natural and some self-imposed, are leading to the recognition that the state of Iowa needs a plan to safeguard groundwater reserves in the future. Natural factors include droughts that occur on average about once per decade in Iowa. The current drought was preceded by droughts in 2012, 2000, 1988-89, and beyond. Less rainfall during drought reduces recharge to shallow groundwater, lowers water table levels, and reduces groundwater entering rivers and streams. Drought conditions increase the demands for agricultural crop irrigation and many communities find that water use increases during drought from lawn watering and other outdoor water uses. In addition, new factors include increasing pumping demands from a rapidly urbanizing population, ethanol plants and other industrial facilities, data centers (requiring vast quantities of cooling water), animal confinements, and other users. These new demands challenge urban and rural water systems to keep groundwater supplies on pace with demand.

**A groundwater plan would produce a water budget for the major aquifers of Iowa. The budget would tell us how much water is recharged to the aquifers, how much groundwater they contain, how much water is discharged to streams and leaked to lower aquifers, and how much water can be sustainably withdrawn without depleting them.**

Groundwater in Iowa is not evenly distributed, and there are water-rich and water-poor areas of the state. Northeast Iowa is relatively groundwater-rich because the bedrock aquifers in the area consisting of fractured carbonate rocks can store, transmit, and yield large quantities of groundwater for use. Groundwater in this area is rapidly replenished with rainfall and snowmelt. On the other hand, western and southern Iowa are relatively groundwater-poor, as the bedrock is either too fine-textured and more resistant to hold water or the aquifer is capped by hundreds of feet of clay-rich glacial soils that limit precipitation recharge. In these areas, water suppliers often focus on extracting groundwater from shallow sands and gravels that occupy river valleys (alluvial aquifers) or pumping from deep bedrock aquifers like the Cambrian-Ordovician aquifer (aka “Jordan” aquifer). Both aquifer types are vulnerable to drought and overuse. Water levels in shallow alluvial aquifers are rapidly lowered during drought when pumping continues despite lowered precipitation recharge. Water levels in deep bedrock aquifers decline because new and increasing demands exceed recharge.

A groundwater plan is needed for Iowans to sustainably balance groundwater use with recharge. Think of a groundwater supply like your checkbook. You get paid regularly, and from this weekly “recharge” to your bank account, you pay your mortgage and bills and occasionally go out to eat. It is important to balance your checkbook so that your expenses do not exceed your income and you fall into debt. The aquifers that contain our groundwater



*Unconfined aquifers and streams are susceptible to droughts and over pumping.*



supply are like your checkbook. They receive recharge from precipitation, they build up their water levels, and from this supply, we can withdraw water from the aquifer “bank” to meet societal needs.

A groundwater plan would produce a water budget for the major aquifers of Iowa. The budget would tell us how much water is recharged to the aquifers, how much groundwater they contain, how much water is discharged to streams and leaked to lower aquifers, and how much water can be sustainably withdrawn without depleting them. For alluvial aquifers, creating a water budget would include mapping the horizontal and vertical extent of the sand and gravel deposits in the state. The Iowa Geological Survey (IGS) conducts this type of work using a combination of geophysics, drilling, and landscape analysis of glacial and post-glacial sedimentology. Although some mapping of alluvial deposits is done at local scales for water supply systems, there is a need to do this on a statewide basis where local interests can be put in the context of statewide needs.

The state of Iowa needs to fund the research, mapping, and analyses to improve our understanding and management of Iowa’s groundwater resources. A groundwater plan led by IGS would balance the current and future needs for groundwater extraction with long-term sustainability for future generations. <<



*Aquifer mapping using geophysics and drilling can be part of a groundwater plan for the state.*

*The Iowa Geological Survey is part of IIHR—Hydroscience and Engineering based at the University of Iowa College of Engineering. Dating back to 1855, IGS staff collect, preserve, and interpret geologic and hydrogeologic data, helping to understand and improve water resources in Iowa. Learn more or contact the IGS at [iowageologicalsurvey.uiowa.edu](http://iowageologicalsurvey.uiowa.edu).*

# Iowa Data Bike: Measuring Pavement Conditions One Trail At A Time

Mike Armstrong, Communications Coordinator for the Iowa League of Cities. He can be reached at (515) 244-7282 or [mikearmstrong@iowaleague.org](mailto:mikearmstrong@iowaleague.org).

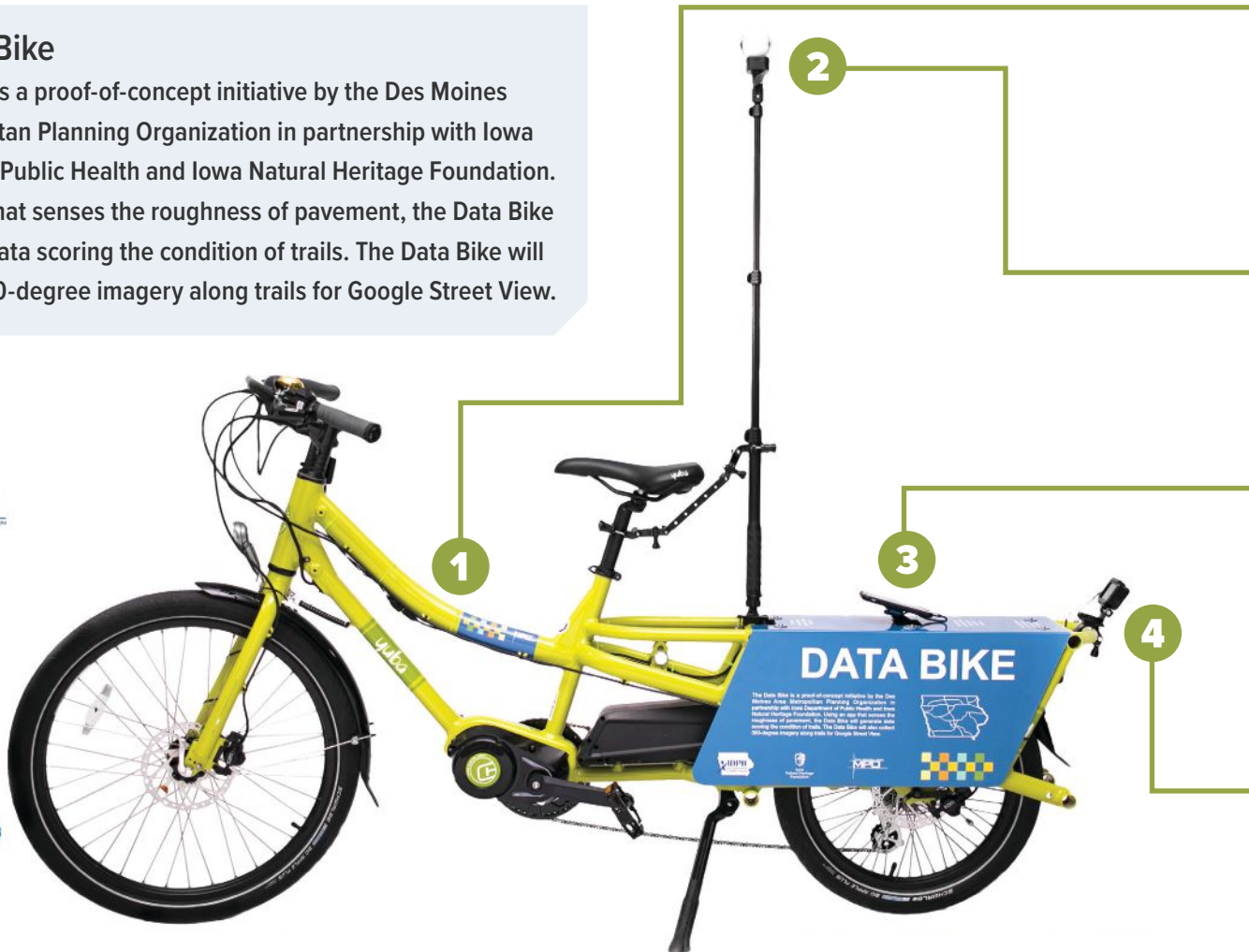
For decades there has been consistent, comprehensive measurement of roadway and pavement conditions. But with roadway pavement measurements often relying on large, fast-moving vehicles, collecting accurate data for Iowa’s trail systems has been difficult and elusive.

In 2017, the Des Moines Area Metropolitan Planning Organization (DMAMPO) piloted a new tool to address this challenge: The Iowa Data Bike. The Iowa Data Bike was developed in partnership with the Iowa Department of Public Health and the Iowa Natural Heritage Foundation and uses an electric bicycle, a smartphone, a GoPro camera and a 360-degree camera to do the job.

The Data Bike senses the roughness of pavement and generates a score for the roughness condition of trails, similar to the Pavement Condition Index often used for roadways. The cameras collect 360-degree imagery along trails for Google Street View while taking photos of the trail surface every two seconds for data verification.

## Iowa Data Bike

The Data Bike is a proof-of-concept initiative by the Des Moines Area Metropolitan Planning Organization in partnership with Iowa Department of Public Health and Iowa Natural Heritage Foundation. Using an app that senses the roughness of pavement, the Data Bike will generate data scoring the condition of trails. The Data Bike will also collect 360-degree imagery along trails for Google Street View.





The project's goal was to develop a data-collection vehicle that would be easy to use, affordable, and replicable. The initiative uses interns to collect data on 200-300 miles of off-street trails and on-street bicycle facilities out of the more than 600 miles of facilities in central Iowa. This means every two to three years there is an updated snapshot of the conditions of all paved trails in central Iowa. The updated data is then incorporated into strategic planning and funding decisions for trail projects in the region.

In 2022, the Data Bike was sent out to other regions. Iowa Northland Regional Council of Governments used the Data Bike to collect and map trail pavement conditions in Black Hawk County and Mason City collected 150 miles of trails and bike paths in the city and surrounding county.



- 1 Using a Yuba Spicy Curry electric bicycle, the rider will maintain a steady speed to collect consistent data on the trails.



- 2 A Samsung Gear 360-degree camera uploads imagery for Google Street View.



- 3 An iPhone running the rRuf App will measure the roughness of trails and helps score condition of pavement.



- 4 A rear-facing GoPro camera will take geo-referenced photos of the trail conditions.

This data collection can be crucial for city and county staff. It's time-consuming and difficult to go out and survey hundreds of miles of trails to check for cracks, faults, or buckling as pavement deteriorates. With this tool, a city can now see areas of concern on a map, use the photos to preview the issue in the winter, and then send out a team in the spring to survey priority areas of concern without having to walk every inch of the trail system. Dylan Mullenix, DMAMPO Executive Director, highlighted this saying:

*"We are seeing the roughest trail segments getting the maintenance they need. We believe that as the system starts to age more, the data from the Data Bike will be increasingly important to preventative maintenance. Long-term, we believe the Data Bike will aid the data-driven decision-making of the cities in our region, saving them staff time and increasing the efficiency of their maintenance programming."*

There's an added benefit for communities as the 360-degree camera takes photos that can populate Google Street View, making it easier for residents and visitors to see the trails and plan a trip. <<



**More information on the Data Bike is available through the Des Moines Area Metropolitan Planning Organization at [dmampo.org/project/data-bike](https://dmampo.org/project/data-bike) or (515) 334-0075.**



# What is a COG?

*Mickey Shields, Director of Membership Services for the Iowa League of Cities. He can be reached at (515) 244-7282 or mickeyshields@iowaleague.org.*

The use of acronyms in municipal government is seemingly ubiquitous, which is likely a reflection of the wide variety of agencies and programs that city officials interact with on a regular basis. Councils of Governments, or COGs, are sometimes unfamiliar to those new to city government and leave some wondering, “What is a COG?” But, most quickly realize the value of what COGs provide at the local level.

## The History of COGs

According to the Legislative Services Agency at the State of Iowa, COGs were first authorized under an Executive Order by Governor Harold Hughes in 1968. The main purpose was to create regional organizations to help facilitate the planning, programming and administration of state services. At a time when the Municipal Home Rule Constitutional Amendment was ratified by the voters of Iowa, the push for COGs was seen as a way to further the coordination of state and local government services.

Eventually, the state legislature formally established the COG system in the state code in 1990 (codified in Chapter 28H of the *Iowa Code*). Originally, 16 COGs were established to serve the various geographic regions in the system with one more added in 2007. Today, those 17 COGs continue to operate and provide a variety of services to cities and counties in their region. Additionally, the Iowa Association of Councils of Government (ICOG) was formed in 1988 and provides assistance to the various COGs on a statewide level.

## Governance & Staff

While there are some differences from one COG to the next, all 17 have a board of directors that form the governing body of the organization. Board members typically represent the city and county governments that belong to the COG as well as representatives from the private sector that may include business leaders, chamber of commerce members, school and higher education



officials and others. Some COGs also involve committees set up to provide oversight or recommendations on specific areas, such as economic development, transportation or housing.

Each COG also employs a staff, which corresponds directly to the services provided respectively. Like city governments, not all COGs provide the same types of services and have the same staffing levels or positions. Each, though, has an executive director to manage the organization and carry out the directives from the board.

## Services

The state code in Section 28H.3 requires COGs to perform a handful of duties, including planning services, regional community development coordination with federal, state and local entities, and preparing regional community development plans that address infrastructure, labor supply, cultural resources, housing, healthcare services, recreational facilities and development opportunities. COGs are also able under the state code to provide other services and programs.

Like city governments, not all COGs provide the same types of services beyond the basic requirements from the state code. Some may focus chiefly on planning and development, while other COGs may also help with public transportation, codification, environmental assessments, business recruitment and retention, grant writing and administration, nuisance abatement, training for local government officials and even more. Importantly, Section 28H.5 says COGs can be considered a public agency and participate in 28E agreements, providing needed flexibility for COGs and their local government partners to design services and staffing in a way that fits their circumstances.

Despite differences among COGs, one of the core services is providing assistance with planning, which is often seen through local and regional transportation planning efforts, housing development initiatives, and land use and zoning regulations. COGs typically have a direct role with federal and state transportation programs that allocate funds for local transportation projects, while some are active partners in regional transportation services utilized by the public.

COGs are also often responsible for certain types of regional housing and community development programs and work with city governments to access funding, particularly through the Community Development Block Grant Program. Many COGs are also directly involved with local housing trusts, affordable housing initiatives and housing rehabilitation programs that involve a variety of local partners to improve housing options in a community.

COGs play an important role in each region by helping communities make smart planning choices that incorporate

regional concepts with local needs. They offer direct services to area constituents, which in turn helps the city and county governments with their responsibilities. While COGs may not be well known, they are vital to the success of their local government partners.

**Want to know more about your COG?**

Visit the ICOG website at [iowacog.com](http://iowacog.com) to learn more about their work at the statewide level and to find more information about each of Iowa's 17 COGs. The ICOG site has a listing for each COG to access their respective websites, which provide detailed information about services, programs, funding and staff contacts.

Also, be sure to join the 2024 Annual Conference & Exhibit (September 18-20 in Sioux City) as the breakout workshop lineup includes a session featuring COGs. More information on the conference will be available soon at [www.iowaleague.org](http://www.iowaleague.org). <<



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## Spring Training Recap

*Mickey Shields, Director of Membership Services for the Iowa League of Cities. He can be reached at (515) 244-7282 or [mickeyshields@iowaleague.org](mailto:mickeyshields@iowaleague.org).*

The Major League Baseball season is now well underway, which of course began after its traditional Spring Training. The League has its own “Spring Training” season, consisting of a variety of workshops and educational events designed to provide city officials guidance on important facets of municipal government.

### **Municipal Leadership Academy**

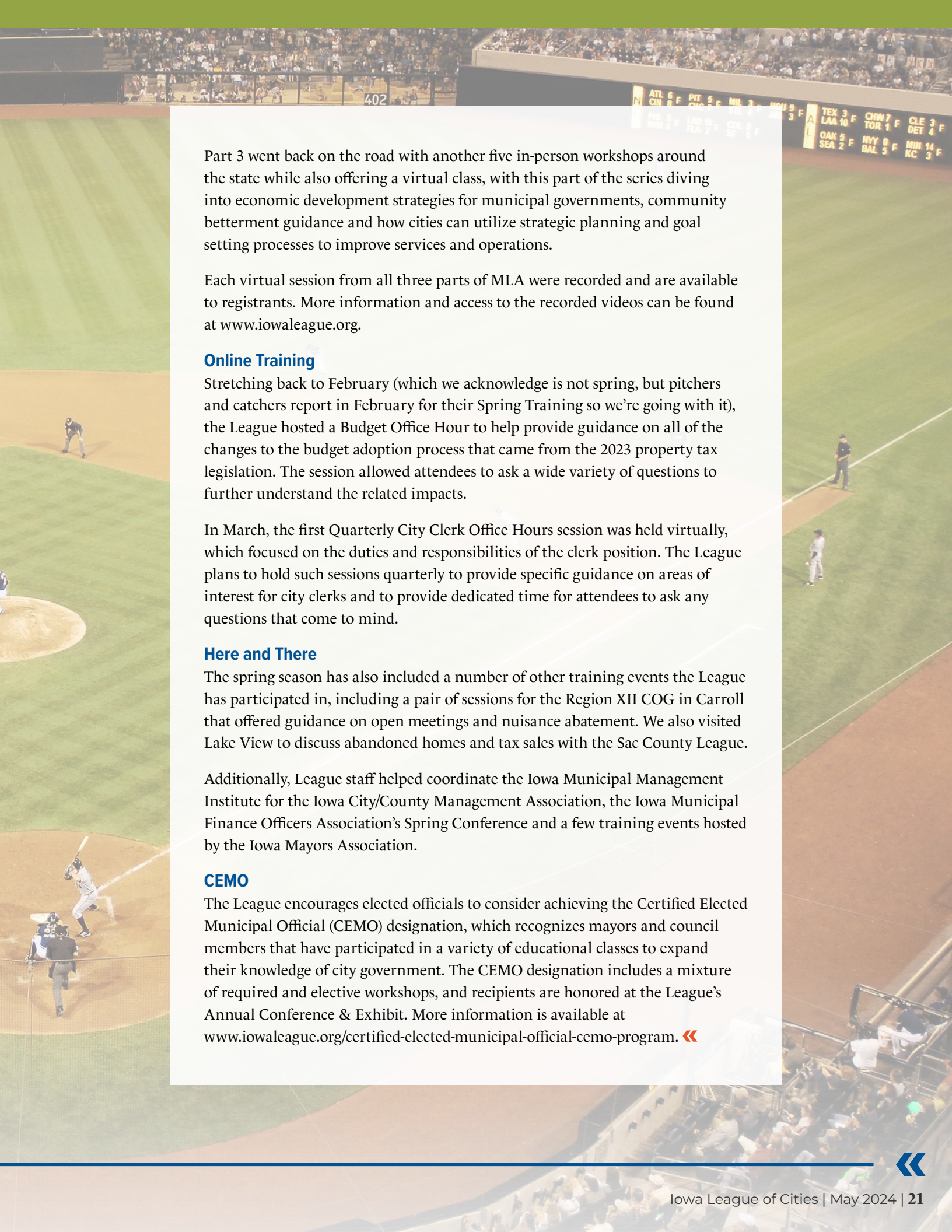
The 2023-2024 Municipal Leadership Academy (MLA) concluded in April with Part 3 of the series, which saw its best attendance figures since 2007-2008. MLA is primarily designed for those newly elected to office and League staff thoroughly enjoyed meeting new mayors, council members and other city officials throughout the series. A fair number of veteran city officials always come to MLA for a refresher, and their presence is also beneficial to help provide guidance and expand networks.

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***262 Cities attended 2023-2024 Municipal Leadership Academy, this included 72 Administrators, 100 Mayors, and 375 other Elected Officials!***

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MLA kicked off last December with Part 1 as the League hosted five in-person workshops along with a virtual session that focused on city finances, effective council meetings and how cities operate. Part 2 was then held in January with three virtual sessions that included guidance on human resources management, roles and responsibilities of city officials, how cities manage their budget, and planning and zoning.



Part 3 went back on the road with another five in-person workshops around the state while also offering a virtual class, with this part of the series diving into economic development strategies for municipal governments, community betterment guidance and how cities can utilize strategic planning and goal setting processes to improve services and operations.

Each virtual session from all three parts of MLA were recorded and are available to registrants. More information and access to the recorded videos can be found at [www.iowaleague.org](http://www.iowaleague.org).

### Online Training

Stretching back to February (which we acknowledge is not spring, but pitchers and catchers report in February for their Spring Training so we're going with it), the League hosted a Budget Office Hour to help provide guidance on all of the changes to the budget adoption process that came from the 2023 property tax legislation. The session allowed attendees to ask a wide variety of questions to further understand the related impacts.

In March, the first Quarterly City Clerk Office Hours session was held virtually, which focused on the duties and responsibilities of the clerk position. The League plans to hold such sessions quarterly to provide specific guidance on areas of interest for city clerks and to provide dedicated time for attendees to ask any questions that come to mind.

### Here and There

The spring season has also included a number of other training events the League has participated in, including a pair of sessions for the Region XII COG in Carroll that offered guidance on open meetings and nuisance abatement. We also visited Lake View to discuss abandoned homes and tax sales with the Sac County League.

Additionally, League staff helped coordinate the Iowa Municipal Management Institute for the Iowa City/County Management Association, the Iowa Municipal Finance Officers Association's Spring Conference and a few training events hosted by the Iowa Mayors Association.

### CEMO

The League encourages elected officials to consider achieving the Certified Elected Municipal Official (CEMO) designation, which recognizes mayors and council members that have participated in a variety of educational classes to expand their knowledge of city government. The CEMO designation includes a mixture of required and elective workshops, and recipients are honored at the League's Annual Conference & Exhibit. More information is available at [www.iowaleague.org/certified-elected-municipal-official-cemo-program](http://www.iowaleague.org/certified-elected-municipal-official-cemo-program). «





## Ensuring City Website Accessibility & Compliance

*Jen Neumann is the CEO for de Novo Marketing and can be reached at [jen@thinkdenovo.com](mailto:jen@thinkdenovo.com) or (319) 200-4901.*

### A Guide to Protect Your Community

A strong online presence is crucial for engaging your residents and attracting visitors. Recent legal and regulatory changes highlight the importance of ensuring that your website meets certain standards to protect your organization and site visitors. Two key focus areas are ADA accessibility and data privacy compliance. ADA and data privacy can be particularly important for certain sectors, including local governments and municipalities. Read on to discover why these factors are essential and how to ensure your website meets the evolving requirements.

### ADA Accessibility: Opening Doors for All

The Americans with Disabilities Act (ADA) ensures equal access and opportunities for people with disabilities, including in the digital realm. With the rise in online interactions, websites must be accessible to everyone, regardless of their abilities. If you think of your city's website as a virtual city hall, you must ensure all residents and visitors can make it through the front door and navigate the building to find the information they need and engage with your team. Failure to comply with ADA standards decreases engagement, excludes potential customers, and puts you at risk of legal action.

Enter the Web Content Accessibility Guidelines (WCAG) 2.1 standards, developed to make web content accessible to individuals with disabilities. Adhering to these standards fosters inclusivity and demonstrates your commitment to social responsibility and customer satisfaction.

Consider the following to ensure your website meets WCAG 2.1 standards.

- **Accessible Design:** Choose a design that is intuitive and easy to navigate, with clear headings, labels, and alt text for images.
- **Keyboard Accessibility:** Ensure that all functions and features can be accessed using a keyboard alone, without relying on a mouse.
- **Color and Contrast:** Use colors and contrast ratios that are easy to distinguish for users with visual impairments.
- **Video and Audio Content:** Provide captions and transcripts for multimedia content to accommodate users with hearing impairments.
- **Accessibility Statement:** Include an accessibility statement on your website outlining your commitment to accessibility and providing contact information for users to report issues, demonstrating a commitment to continued improvements and making reasonable accommodations.

Additionally, implementing an accessibility feedback form allows users to report accessibility barriers, enabling you to promptly address and rectify them.



### What About Accessibility “Overlays”?

A handful of products claim to make your site ADA-compliant by overlaying your existing site with accessibility tools. These are generally unneeded if your site is built to WCAG 2.1 standards. Additionally, they pose a risk of rendering your site less compliant and more clunky. Harkening back to our virtual city hall analogy, most of these products are like adding a piece of plywood over your steps to make it possible for a wheelchair to access the building. It might allow those unable to use the stairs to enter the front door, but it doesn’t create a smooth, polished experience. A separate ramp designed specifically for those individuals built with a sturdy foundation makes for a much better approach. The best way to ensure ADA compliance is to make it a foundational piece of your site rather than try to lay it over the top.

### Data/Cookie Consent Compliance: Respecting User Privacy

Cookies are small pieces of data stored on users’ devices and often used for tracking and profiling. This data can provide retargeting for digital ads and information on how users came to your site. The General Data Protection Regulation (GDPR) and other privacy laws require websites to obtain user consent before setting up non-essential cookies and provide users with options to manage their preferences.

In an era of heightened concerns about online privacy, cookie consent compliance has become a priority. Big tech players are updating their platforms’ functionality to comply with changing regulations. States

Accessibility statement on The City of Mount Vernon’s site.

are beginning to adopt individual regulations until the federal government catches up and codifies them as the law of the land. With federal legislation on data privacy pending, now is the time to act.

So, how can we continue to collect this valuable information in a way that complies with the new regulations? A cookie consent banner is a common solution. This banner notifies users about cookies, provides information about their purpose, and offers options to accept or decline them. Additionally, it should include a link to your website's privacy policy for users to review.

Here's how to ensure data consent best practices and compliance.

- **Implement a Consent Banner:** Utilize a reputable third-party software program to display a cookie consent banner on your website.
- **Provide Granular Consent Options:** Allow users to choose which types of cookies they consent to, such as functional, analytical, and marketing cookies.
- **Opt-Out Mechanism:** Offer users an easy way to revoke their consent and opt out of cookie tracking at any time.
- **Regular Updates:** Stay informed about changes in privacy regulations and update your cookie consent mechanism accordingly to remain compliant.

### What Happens if You Don't Implement These Changes?

Immediately, it creates a poor user experience. Also, as time passes, ignoring whether your site adheres to accessibility and privacy standards could result in costly lawsuits. Given that we live in a litigious society, it's only a matter of time before someone sees your website as an opportunity to seek a settlement for non-compliance. By prioritizing ADA accessibility and cookie consent compliance, municipalities can mitigate legal risks and foster a more inclusive and trustworthy online environment. Embracing these best practices protects your community from potential litigation and demonstrates your commitment to respecting user privacy and accessibility for all. Making these investments now protects

you in the long term and means you can disregard the scare tactic emails and sales calls designed to get you to pay for programs that may not meet your needs or address best practices. Finally, there's a good non-legal reason to tackle ADA-accessibility and user data privacy—it's simply the right thing to do.

### We're Here to Help

At de Novo, we specialize in developing city websites that meet ADA accessibility standards and ensure data privacy and protection compliance. We also focus on the overall look, feel, and navigation of your site, offering users a refreshingly meaningful experience that spurs connection. It all ensures a website that nurtures engagement, drives growth, promotes inclusivity, and protects privacy. <<



*Have more questions about city website best practices specifically related to ADA accessibility and compliance?*

### Join de Novo Marketing and the League for the next Quarterly "Office Hours"

These office hours are a great opportunity to ask questions, learn from experts, and share with other cities on challenges and solutions for municipal communications.

Visit [www.iowaleague.org](http://www.iowaleague.org) for more information on upcoming office hours or to watch a past session!



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## » CITY SHOUT-OUTS

The League knows cities and their staff are doing some amazing things. This page features examples of these.



### Goodwill Tour Indianola

The Iowa League of Cities Goodwill Tour kicked off with **Indianola** hosting several cities in their area including **Carlisle**, **Cumming**, **Milo**, **New Virginia** and **Norwalk**. Each community shared the exciting projects happening as well as the specific challenges they're facing. The League then facilitated a discussion on legislative priorities, budget changes, and connecting with League resources.



### \$125,000 in Certified Local Government Grants Awarded to Nine Iowa Communities

The Iowa Economic Development Authority (IEDA) today awarded approximately \$125,000 in Certified Local Government Grants to nine communities around the state. The Certified Local Government program encourages governmental partnerships, provides training and technical assistance, and supports preservation of historic resources at the local level. Iowa's program is one of the largest in the nation and is administered by the State Historic Preservation Office in conjunction with the National Park Service. Funding for the Certified Local Government grants comes from the Historic Preservation Fund administered by the National Park Service.

These awards will support projects including:

- The development of Uptown **Creston** District's National Register of Historic Places nomination.
- The creation of a Historic Structure Report for Sacred Heart Catholic Church that will establish a roadmap for rehabilitation and reuse for this vacant property in **Fort Dodge**.
- The completion of a survey of the Overman Park Neighborhood, one of the early residential neighborhoods adjacent to Historic Downtown **Cedar Falls**.

These grants are administered through IEDA's Iowa State Historic Preservation Office. The funding will be distributed in the form of matching grants to the selected Certified Local Government projects.



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## Send the League Your City Photos!

Calling on cities to send us your photos for the League's Annual Calendar. We'd love to highlight your city's best features! Send in your high-resolution photos that represent your city: libraries, squares, public safety, festivals, beautification, etc.

Please email the photos to [communications@iowaleague.org](mailto:communications@iowaleague.org).

## Stay Connected with Your League!

### *lowaleague.org*

The League's constantly-updated website has publications, legislative information, online trainings and a library of information relevant to city professionals.

### *League Weekly*

Each Tuesday, you will receive information that city officials need to know. From trainings to grants, this is your most timely source of information from the League.

### *Legislative Link*

Every Friday during Legislative Session, you will be briefed on issues and legislation relevant to cities. We will also provide ways you can participate in the legislative process.

Find up-to-date information from the League on Facebook, X/Twitter and LinkedIn.

These platforms are a great way to interact with the League and other League members.

- [facebook.com/IowaLeagueofCities](https://facebook.com/IowaLeagueofCities)
- [linkedin.com/company/iowa-league-of-cities](https://linkedin.com/company/iowa-league-of-cities)
- [twitter.com/IowaLeague](https://twitter.com/IowaLeague)



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**We look forward to seeing you this September  
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