

AGENDA

MEMBERS OF COUNCIL

Hon. Kim Reynolds | Governor Hon. Paul D. Pate | Secretary of State Hon. Rob Sand | Auditor of State Hon. Roby Smith | Treasurer of State Hon. Mike Naig | Secretary of Agriculture

<u>Teleconference Only</u> Conference Call Phone Number: (877) 304-9269 Conference Code Pin: 364626

1. Approval of Minutes

A. Approval of the minutes from the Executive Council meeting held on January 6, 2025.

2. Iowa Code §7D.10

A. Attorney General's office requests Payment for Expenses under Iowa Code §7D.10 in the amount of \$17,600.00.

3. Outside Counsel

A. The Department of Justice, Attorney General's Office, requests retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Mendenhall, Mark v. Clarinda Correctional Facility/State of Iowa, Second Injury Fund of Iowa,* a workers' compensation case filed by a state employee.

Firm:	Patterson Law Firm, L.L.P.
Attorney:	Ryan Clark
	505 5th Avenue
	Suite 729
	Des Moines, IA 50309
Rate:	\$160.00 Per Hour

B. The Department of Justice, Attorney General's Office, requests retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Grilli, Charles v. Eldora State Training School and State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee.

Firm:	Patterson Law Firm, L.L.P.
Attorney:	Ryan Clark
	505 5th Avenue
	Suite 729
	Des Moines, IA 50309
Rate:	\$160.00 Per Hour

C. The Department of Justice, Attorney General's office requests an hourly compensation rate increase for Patterson Law Firm for cases assigned on or after January 1, 2025, from \$160 to \$175 per hour for partners. Raises for other personnel at the firm would be \$155 per hour for an associate, \$100 per hour for a paralegal.

4. Special Counsel

A. The Department of Justice, Attorney General's Office, requests renewal of the retention of Gray Miller Persch, to represent Iowa PBS on highly specialized FCC matters.

Firm:	Gray Miller Persh
	1200 New Hampshire Ave. N.W., Suite 410
	Washington, D.C. 20036-3802
Rate:	\$452 per hour for the duration of one year

B. The Department of Justice, Attorney General's Office requests retention of special counsel to provide legal services and representation to Iowa with respect to investigations into and possible litigation of certain business practices of Institutional Shareholder Services Inc. (ISS) and Glass Lewis & Co (Glass Lewis). The engagement will be governed by a separate contingent fee agreement under Iowa Code section 23B.3.

Firm:	Lehotsky Keller Cohn LLP
	200 Massachusetts Ave NW
	Washington, District of Columbia, 20001
Rate:	Governed by a separate contingent fee agreement under Iowa Code section 23B.3

5. Leases

A. Lease between DNR and Olson - Landowner
Date of Lease: December 1, 2024 to November 30, 2029
Legal Description: An area nineteen (19) feet wide by twenty-eight (28) feet long located
adjacent to Lot 18, Block 35, Blue Water Beach Subdivision in Section 2, Township 99 North,
Range 35 West of the 5th P.M., Dickinson County, Iowa.
Purpose: The lessees, Randy and Betty, intend to use the property for a deck with stairs
Annual Fee: \$154.95

Michael Moss, Assistant Attorney General, has reviewed the above lease and approved the lease as to form.

6. Emergency Allocations

A. Department of Natural Resources is requesting a supplemental emergency allocation in the amount of \$4,510.85. This brings the total allocation to \$157,671.96. On May 21, 2019, Green Island Wildlife area in Jackson County and Princeton Wildlife Area in Scott County were damaged by flood. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation will be closed.

B. Department of Natural Resources is requesting an emergency allocation in the amount of \$3,250.00. On May 23, 2024, Lake Manawa State Park was damaged by Mosquito Creek flooding. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation subject to audit of actual invoices.

C. Department of Natural Resources is requesting a supplemental emergency allocation in the amount of \$338.47. This brings the total allocation to \$2,863.47. On May 29, 2024, McIntosh Woods State Park was damaged by theft. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation will be closed.

D. Department of Natural Resources is requesting an emergency allocation in the amount of \$12,148.00. On July 12, 2024, Odessa Wildlife Management Area in Louisa County was damaged by flood. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation subject to audit of actual invoices.

E. Board of Regents - Iowa State University is requesting an emergency allocation and reimbursement in the amount of \$254,311.00. On April 8, 2024, Durham Center Building was damaged by accidental activation of the fire suppression system. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and reimbursement. This represents full and final payment and this allocation will be closed.

F. Board of Regents - Iowa State University is requesting an emergency allocation and reimbursement in the amount of \$23,366.31. On January 14, 2024, Hach Hall and the Molecular Biology Building had water damage due to frozen pipes. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and reimbursement. This represents full and final payment and this allocation will be closed.

G. Iowa Communications Network is requesting an emergency allocation in the amount of \$45,049.84. On October 16, 2024, equipment in the banks of Floyd River along Lily Avenue and north of 390th street in Sioux County were exposed due to excessive erosion. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included.

H. Department of Public Safety is requesting a supplemental emergency allocation in the amount of \$13,000.00. This brings the total allocation to \$22,500.00. On May 21, 2024, Tama ISICS Communication Tower was damaged by a storm. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation subject to audit of actual invoices.

I. Department of Administrative Services is requesting an emergency allocation in the amount of \$12,100.00. On May 21, 2024, multiple buildings on the Capitol Complex and Ankeny Labs Facility were damaged by storm. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation subject to audit of actual invoices.

J. Department of Administrative Services is requesting an emergency allocation in the amount of \$7,179.69. On November 8, 2024, Vehicle #31 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation subject to audit of actual invoices.

K. Department of Administrative Services is requesting an emergency allocation in the amount of \$7,841.61. On December 23, 2024, Vehicle #93 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation subject to audit of actual invoices.

L. Department of Administrative Services is requesting an emergency allocation in the amount of \$9,063.90. On November 14, 2024, Vehicle #209 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation subject to audit of actual invoices.

M. Department of Administrative Services is requesting an emergency allocation in the amount of \$15,755.83. On October 31, 2024, Vehicle #234 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation subject to audit of actual invoices.

N. Department of Administrative Services is requesting an emergency allocation in the amount of \$6,538.47. On November 19, 2024, Vehicle #236 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation subject to audit of actual invoices.

O. Department of Administrative Services is requesting an emergency allocation in the amount of \$5,618.99. On November 13, 2024, Vehicle #491 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation subject to audit of actual invoices.

P. Department of Administrative Services is requesting an emergency allocation in the amount of \$5,709.50. On November 14, 2024, Vehicle #1336 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation subject to audit of actual invoices.

Q. Department of Administrative Services is requesting an emergency allocation in the amount of \$4,932.85. On November 16, 2024, Vehicle #1786 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation subject to audit of actual invoices.

R. Department of Administrative Services is requesting an emergency allocation in the amount of \$5,933.97. On November 6, 2024, Vehicle #1847 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation subject to audit of actual invoices.

S. Department of Administrative Services is requesting an emergency allocation in the amount of \$4,630.33. On December 16, 2024, Vehicle #105575 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation subject to audit of actual invoices.

T. Department of Administrative Services is requesting an emergency allocation in the amount of \$4,454.07. On October 30, 2024, Vehicle #106144 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation subject to audit of actual invoices.

U. Department of Administrative Services is requesting an emergency allocation in the amount of \$27,296.15. On November 6, 2024, Vehicle #106188 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation subject to audit of actual invoices.

V. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$1,539.13. This brings the total allocation to \$13,726.35. On June 27, 2024, Vehicle #160 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation will be closed.

W. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$5,256.95. This brings the total allocation to \$14,451.59. On May 21, 2024, Vehicle #259 was damaged by hail. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation will be closed.

X. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$110.25. This brings the total allocation to \$3,371.75. On September 9, 2024, Vehicle #319 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation will be closed.

Y. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$76.29. This brings the total allocation to \$6,048.42. On May 21, 2024, Vehicle #410 was damaged by a storm. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation will be closed.

Z. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$1,011.04. This brings the total allocation to \$4,146.17. On April 26, 2024, Vehicle #1274 was damaged by tornado. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation will be closed.

AA. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$216.36. This brings the total allocation to \$4,938.70. On May 3, 2024, Vehicle #1546 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation will be closed.

BB. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$34.84. This brings the total allocation to \$2,594.38. On September 23, 2024, Vehicle #1751 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation will be closed.

CC. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$346.40. This brings the total allocation to \$3,345.00. On June 13, 2024, Vehicle #2026 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation will be closed.

DD. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$302.50. This brings the total allocation to \$5,056.70. On June 12, 2024, Vehicle #2280 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation will be closed.

7. Payment of Cost Items

A. Department of Administrative Services......\$3,872.68 On July 14, 2024, Vehicle #204 was damaged by a raccoon. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$369.46 will be reverted and this allocation closed.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$70.24 will be reverted and this allocation closed.

C. Department of Administrative Services\$2,781.40 On May 23, 2024, Vehicle #591 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$77.15 will be reverted and this allocation closed.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$281.21 will be reverted and this allocation closed.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$714.88 will be reverted and this allocation closed.

F. Department of Administrative Services\$3,304.74 On May 20, 2024, Vehicle #117529 was damaged by hail. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$34.50 will be reverted and this allocation closed.

G. Department of Natural Resources\$100,281.87 On February 29, 2024, a fire at Red Rock Wildlife Unity destroyed the skid loader. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$3,987.15 will be reverted and this allocation closed.

 H. Department of Corrections - Anamosa State Penitentiary\$24,123.26 On March 5, 2023, a lightning strike cause damage to various systems. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment.

 I. Department of Public Safety\$9,082.00
 On July 30, 2024, Adair County ISICS communication tower was damaged by a lightning strike. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$918.00 will be reverted and this allocation closed.

J. Department of Public Safety\$15,000.00 On March 31, 2023, radomes at Iowa and Woodward ISICS communication towers were broken due to storms. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$8,000.00 will be reverted and this allocation closed.

 K. Department of Public Safety\$15,000.00
 On February 23, 2023 and April 18, 2024, radome covers on the O'Brien ISICS Communication Tower were damaged by storm. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$4,000.00 will be reverted and this allocation closed.

L. Department of Public Safety\$15,000.00 On November 1, 2023, radome covers on Plymouth ISICS communication tower was damaged by strong winds. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$4,000.00 will be reverted and this allocation closed.

M. Department of Public Safety\$24,620.27 From April 26 to May 21, 2024, sever storms misaligned microwave dishes/loose cables on Underwood and Harrison ISICS communication towers. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$15,379.73 will be reverted and this allocation closed.

N.	Iowa Communications Network
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$2,050.00 will be reverted and this allocation closed.
О.	Iowa Communications Network\$23,414.00 On July 8, 0224, a cable was exposed at a culvert along 170th Street east of Starling Avenue in Osceola County due to excessive erosion. Request is to cover repair costs.
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$1,653.84 will be reverted and this allocation closed.
Р.	Kevin Cmelik\$1,875.00 814 Shawnee Avenue Des Moines, IA 50313 Special Counsel for the Criminal Appeals Division of the Iowa Attorney General's Office
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Attorney General's Office's Forfeiture Fund.
Q.	Richard J. Bennett, Sr
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Attorney General's Office's Forfeiture Fund.
R.	Marquess & Hoyer Law Office, P.C
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the General Fund.
S.	Davis, Brown, Koehn, Shors & Roberts, P.C\$1,842.50 The Davis Brown Tower 215 10th Street, Suite 1300 Des Moines, IA 50309-3993 Legal Services to state agencies on issues related to the visa status of prospective state employees

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Iowa Department of Revenue.

T.	Dentons Davis Brown Law Firm\$3,006.00 The Davis Brown Tower 215 10th Street, Suite 1300 Des Moines, IA 50309 <u>Unclaimed Property Probate Matters</u>
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Unclaimed Property Fund.
U.	Patterson Law Firm L.L.P\$160.00 729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 <u>Amy Ausborn v. Eldora State Training School and State of Iowa and Second Injury Fund of</u> <u>Iowa</u>
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.
V.	Patterson Law Firm L.L.P\$32.00 729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 <u>Therese Blake v. Woodward Resource Center and State of Iowa and Second Injury Fund of</u> <u>Iowa</u>
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.
W.	Patterson Law Firm L.L.P\$16.00 729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 Patricia Brown v. Iowa Correctional Institution for Women, State of Iowa, Second Injury Fund of Iowa
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.
X.	Patterson Law Firm L.L.P\$32.00 729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 Diane Chase v. Woodward Resource Center and State of Iowa and Second Injury Fund of Iowa
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends

payment. Payment will be made from the Second Injury Fund.

Y.	Patterson Law Firm L.L.P\$32.00 729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 Karen Crew v. University of Iowa Hospitals and Clinics, State of Iowa, Second Injury Fund of Iowa
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.
Z.	Patterson Law Firm L.L.P\$1,440.00 729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 Wandy Nataliaky y University of Jawa Hagpitala & Clinics and State of Jawa and Sacond
	Wendy Netolicky v. University of Iowa Hospitals & Clinics and State of Iowa and Second Injury Fund
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.
AA	. Patterson Law Firm L.L.P
	Shana Overstreet v. University of Iowa Hospitals and Clinics, State of Iowa and Second Injury Fund of Iowa
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.
BB	. Patterson Law Firm L.L.P\$1,192.00 729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390
	Ronald Simmons v. Iowa Department of Transportation and State of Iowa and Second Injury Fund of Iowa
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.
CC	 Patterson Law Firm L.L.P\$400.00 729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390
	Ronald Simmons v. Iowa Department of Transportation and State of Iowa and Second Injury Fund of Iowa
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

DD. Patterson Law Firm L.L.P\$16.00 729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 <u>Brad Stevenson v. Iowa Department of Transportation, State of Iowa, Second Injury Fund of Iowa</u>
Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.
 EE. Patterson Law Firm L.L.P\$1,377.00 729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 <u>Stine, Phillip v. Mt. Pleasant Correctional Facility and State of Iowa and Second Injury Fund</u>
Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.
 FF. Patterson Law Firm L.L.P\$16.00 729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 <u>Douglas Stufflebeam v. University of Northern Iowa and State of Iowa and Second Injury Fund of Iowa</u>
Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.
GG. Patterson Law Firm L.L.P\$192.00 729 Insurance Exchange Building 505 Fifth Avenue Des Moines, IA 50309-2390 Katherine Williams v. 6th Judicial District and Second Injury Fund of Iowa
Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

8. Information Items

- A. Department of Revenue's second quarter status update of the Litigation Expense Fund.
- B. Per the Civil Reparations Trust Fund Agreement, \$329,808.00 will be transferred to Iowa Legal Aid. This is payment number two of three.
- C. Notification from the State Auditor's Office that funds previously allocated for the Department of Administrative Services to cover damages to Vehicle #2057 on February 26, 2024 are not required; \$3,452.65 will be reverted and this allocation closed.
- D. Notification from the State Auditor's Office that funds previously allocated for the Department of Administrative Services to cover damages to Vehicle #479 on June 12, 2024 are not required; \$2,586.00 will be reverted and this allocation closed.

- E. Notification from the State Auditor's Office that funds previously allocated for the Department of Public Safety to cover damages to antennas on the O'Brien County ISICS Communication Tower on July 29, 2024 are not required; \$5,000.00 will be reverted and this allocation closed.
- F. Status of State Aid (Iowa Code 29C.20) Allocations quarterly update.

9. Adjourn Meeting