



EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Monday, January 06, 2025 at 10:00 AM

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**

Teleconference Only

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 December 2, 2024 and the Board of Canvass meeting held on December 2, 2024.

2. **Iowa Code §7D.10**

- A. Attorney General's office requests Payment for Expenses under Iowa Code §7D.10 in the amount of \$8,486.89.

3. **Special Counsel**

- A. 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

- B. The Department of Justice, Attorney General’s Office requests retention of special counsel to provide legal services for the Department of Administrative Services in regard to real estate transactions pertaining to the sale of Department of Health and Humans Services and Department of Corrections owned farmland.

Firm: Nyemaster Goode P.C.
700 Walnut St # 1600
Des Moines, IA 50309
Rate: \$300 per hour

4. Emergency Allocations

- A. Department of Administrative Services is requesting an emergency allocation in the amount of \$2,085.00. On September 24, 2024, Vehicle #2318 was damaged by a raccoon. Request is to cover repair costs.

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

- B. Department of Administrative Services is requesting an emergency allocation in the amount of \$11,951.90. On October 8, 2024, Vehicle #1721 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.

- C. Department of Administrative Services is requesting an emergency allocation in the amount of \$5,692.80. On October 10, 2024, Vehicle #465 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.

- D. Department of Administrative Services is requesting an emergency allocation in the amount of \$3,341.83. On October 11, 2024, Vehicle #353 was damaged by a raccoon. 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. Department of Administrative Services is requesting an emergency allocation in the amount of \$16,433.01. On October 11, 2024, Vehicle #440 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.

- F. Department of Administrative Services is requesting an emergency allocation in the amount of \$2,809.54. On October 16, 2024, Vehicle #99 was damaged by a raccoon. Request is to cover repair costs.

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

- G. Department of Administrative Services is requesting an emergency allocation in the amount of \$4,205.46. On October 16, 2024, Vehicle #1266 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.

- H. Department of Administrative Services is requesting an emergency allocation in the amount of \$2,207.43. On October 19, 2024, Vehicle #105694 was damaged by a raccoon. 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 \$14,712.35. On October 25, 2024, Vehicle #1743 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.

- J. Department of Natural Resources is requesting an emergency allocation in the amount of \$6,100.00. On August 29, 2024, the beach bathroom at Clear Lake State Park in Cerro Gordo County was damaged by high winds. 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 Natural Resources is requesting an emergency allocation in the amount of \$6,353.85. On June 22, 2024, Dolliver Memorial State Park was damaged by a 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.

- L. Department of Natural Resources is requesting an emergency allocation in the amount of \$33,771.11. On June 26, 2024, Fairport State Recreation Area 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.

- M. Department of Natural Resources is requesting an emergency allocation in the amount of \$9,192.94. On August 10, 2024, the Lynn Lorenzen Boat Dock at Ventura Access along Clear Lake partially collapsed. 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 Public Safety is requesting a supplemental emergency allocation in the amount of \$129,500.00. This brings the total allocation to \$250,500.00. On April 26, 2024 through May 9, 2024, various ISICS communication towers (Shelby, Storm Lake, Van Wert, Clarinda, Calhoun, Marion, Newton, Davis) were damaged by storm/tornado. Request is to cover repair costs.

The State Auditor’s Office has reviewed this request and recommends allocation subject to audit of actual invoices. A portion of the damages will likely qualify for disaster assistance provided through FEMA Declared Disasters. Therefore, once the amount of disaster assistance provided through FEMA has been determined, the approved allocation should be reduced by that amount.

5. Payment of Cost Items

- A. Department of Administrative Services\$5,413.70
On June 12, 2024, Vehicle #611 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, \$300.67 will be reverted and this allocation closed.

- B. Department of Administrative Services\$4,033.35
On August 1, 2024, Vehicle #1038 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, \$1,571.63 will be reverted and this allocation closed.

- C. Iowa Communications Network\$11,210.00
On August 9, 2024, two locations in Adair County had exposed cable 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.

- D. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$280.00
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.

- E. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$157.50
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 Education.

- F. Patterson Law Firm L.L.P.....\$96.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Leland Mitchell 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.

- G. Patterson Law Firm L.L.P.....\$64.00
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.

- H. Patterson Law Firm L.L.P.....\$48.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Amy Ausborn v. Eldora State Training School 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.

- I. Patterson Law Firm L.L.P.....\$262.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
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.

- J. Patterson Law Firm L.L.P.....\$384.00
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.

K. Patterson Law Firm L.L.P.....\$32.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
John Larson v. Newton Correctional Facility and Clinics 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.

L. Patterson Law Firm L.L.P.....\$80.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
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.

M. Patterson Law Firm L.L.P.....\$48.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Brad Stevenson v. Iowa Department of Transportation, 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.

N. Patterson Law Firm L.L.P.....\$176.00
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.

O. Patterson Law Firm L.L.P.....\$144.00
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.

- P. Patterson Law Firm L.L.P.....\$482.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Therese Blake 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.

- Q. Gray Miller Persh, LLP.....\$44.20
2233 Wisconsin Avenue NW
Suite 226
Washington, D.C. 20007
Iowa PBS

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from Iowa PBS.

- R. Marquess & Hoyer Law Office, P.C.....\$6,000.00
203 W. High Street
P.O. Box 51
Toledo, IA 52342
Criminal Prosecution for Meskwaki Settlement Matters

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. Dentons Davis Brown Law Firm.....\$350.00
The Davis Brown Tower
215 10th Street, Suite 1300
Des Moines, IA 50309
Unclaimed Property Probate Matters

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

- T. Patterson Law Firm L.L.P.....\$516.00
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.

- U. Patterson Law Firm L.L.P.....\$2,256.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Jeffrey Welder v. Iowa State University, 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.

- V. Richard J. Bennett, Sr.....\$678.00
PO Box 65666
West Des Moines, IA 50265
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.

6. Information Items

- A. Notification from the State Auditor’s Office that funds previously allocated for the Department of Administrative Services to cover damages to Vehicle #621 due to hail on June 12, 2024 are not required; \$13,777.04 will be reverted and this allocation closed.

7. Adjourn Meeting