

EXECUTIVE COUNCIL OF IOWA

Teleconference Only Monday, March 03, 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 February 3, 2025 and the minutes from the Board of Canvass meeting held on February 10, 2025.

2. Iowa Code §7D.10

A. Attorney General's office requests Payment for Expenses under Iowa Code §7D.10 in the amount of \$28,850.50.

3. Special Counsel

A. The Department of Justice, Attorney General's Office, requests retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Beitz, Michael v. Public Defense and 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: \$175.00 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 Starrett, Christopher v. Department of Public Safety and 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: \$175.00 Per Hour

4. Leases

A. Lease between DNR and Fidelity Properties

Date of Lease: December 1, 2024 to November 30, 2029

Legal Description: East Okoboji Lake frontage adjacent to Government Lot 5 in Section 20,

Township 99 North, Range 36 West of the 5th P.M., Dickinson County, Iowa

Purpose: Platform deck **Annual Fee**: \$300.00

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

B. Lease between DNR and Linwood Mining and Minerals Corporation

Date of Lease: December 1, 2024 to November 30, 2029

Legal Description: A portion of the bed of the Mississippi River approximately 560 feet in frontage and 230 feet in depth at Mississippi River Mile 475.2, located in the NW¼ of Section

24, Township 77 North, Range 2 East of the 5th P.M., Scott County, Iowa.

Purpose: Barge load out **Annual Fee**: \$7,985.60

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

C. Lease between DNR and Matteson Marine Service, Inc. reassigned to Brennan Marine Inc., who has agreed to abide by the terms, covenants, conditions, obligations and provisions of the original lease.

Date of Lease: October 1, 2024 to May 31, 2029

Legal Description: A parcel in the bed of the Mississippi River including approximately 100 feet of depth by 600 feet of length, Mississippi River Mile 427.7, located in Sec. 22, Twp 73N, R 1W of the 5th P.M., Louisa County, Iowa. The leased area begins 400 feet downstream of the Minneapolis and St. Louis Railroad Bridge, which is approximately 25 miles south of Muscatine, IA.

Purpose: Barge fleeting **Annual Fee**: \$2,712.00

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

D. Lease between DNR and Matteson Marine Service, Inc. reassigned to Brennan Marine Inc., who has agreed to abide by the terms, covenants, conditions, obligations and provisions of the original lease.

Date of Lease: Date of Consent to April 16, 2027

Legal Description: Starting at the Burlington City limits and extending upstream on the main channel side of Baby Rush Island 150 feet in depth along 800 feet in frontage in Section 27, Township 70 North, Range 2 West of the 5th P.M., Des Moines, Iowa, at Mississippi River Mile 405.8

Purpose: Barge fleeting **Annual Fee**: \$5,502.38

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

E. Lease between DNR and Matteson Marine Service, Inc. reassigned to Brennan Marine Inc., who has agreed to abide by the terms, covenants, conditions, obligations and provisions of the original lease.

Date of Lease: May 1, 2024 to April 30, 2029

Legal Description: A parcel in the bed of the Mississippi River including approximately 1,600 feet of frontage by 175 feet of depth located at the vicinity of Mississippi River Mile 430.3 located in sections 9 and 16, Township 73 North, Range 1 West of the 5th P.M., Louisa County, Iowa.

Purpose: Barge fleeting **Annual Fee**: \$12,656.00

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

5. Emergency Allocations

A. Iowa Workforce Development is requesting an emergency allocation and reimbursement in the amount of \$3,571.69. On June 25, 2024, the IWD office in Spencer was damaged due to heavy rains and river flooding. 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.

B. Department of Corrections - Mitchellville is requesting an emergency allocation and reimbursement in the amount of \$74,625.00. On August 20, 2024, the geothermal heating/cooling system was damaged by a pipe break. 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.

C. Iowa Communications Network is requesting an emergency allocation and reimbursement in the amount of \$31,935.88. On August 1, 2024, a cable was exposed along Roemer Avenue, east of Highway 34 in Wapello County. 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.

D. Iowa Communications Network is requesting an emergency allocation in the amount of \$12,847.00. On November 26, 2024, a cable along 285th Avenue in Winneshiek County had extensive rodent damage. 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.

E. Department of Natural Resources is requesting an emergency allocation in the amount of \$7,930.00. On November 19 and December 12, 2024, campground equipment shed at Elk Rock State Park was broken into. 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 Natural Resources is requesting an emergency allocation in the amount of \$12,028.29. On April 27, 2023, Sny Magill boat ramp and Turkey River boat ramp and parking lot were 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.

G. Department of Public Safety is requesting an emergency allocation and reimbursement in the amount of \$9,500.00. On December 31, 2024, Palo Alto ISICS communications tower was damaged by strong winds. 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.

H. Department of Public Safety is requesting an emergency allocation in the amount of \$9,500.00. On December 30, 2024, a radome cover on Sioux County ISICS Communication Tower was damaged by winds and/or ice. 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. Board of Regents - University of Iowa is requesting an emergency allocation in the amount of \$35,946.75. On May 13, 2023, an eye wash station at Iowa Advanced Technology Laboratories was damaged. 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. Board of Regents - University of Iowa is requesting an emergency allocation in the amount of \$42,641.09. On December 28, 2022, a pipe at Bedell Entrepreneurship Learning Laboratory was damaged due to a failed soldering. 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. Board of Regents - University of Iowa is requesting an emergency allocation in the amount of \$32,476.04. On November 29, 2023, the roof at Medical Research Center was damaged due to a failed air handling. 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. Board of Regents - University of Iowa is requesting an emergency allocation in the amount of \$8,810.00. On September 9, 2023, a glass panel at the Stanley Museum of Art was damaged. 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. Board of Regents - University of Iowa is requesting an emergency allocation in the amount of \$13,060.21. On January 16, 2024, Trowbridge Hall had water damages due to lab equipment filter failure. 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. Board of Regents - Iowa is requesting an emergency allocation in the amount of \$20,592.60. On January 14, 2024, Van Allen Hall was damaged due to frozen fan coil. 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. Board of Regents - Iowa State University is requesting an emergency allocation and reimbursement in the amount of \$7,968.00. On January 17, 2024, Gilman Hall had water damage due to freezing temperatures causing a water line break. 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.

P. Board of Regents - Iowa State University is requesting an emergency allocation and reimbursement in the amount of \$5,000.00. On January 17, 2024, Roy J. Carver Laboratory was damaged by freezing temperatures, burst fan coil unit and air handler coil. 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.

Q. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$17,354.00. This brings the total allocation to \$29,454.00. 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.

R. Department of Administrative Services is requesting an emergency allocation in the amount of \$5,348.00. On September 18, 2024, Vehicle #127 was damaged by a coyote. 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 a supplemental emergency allocation in the amount of \$4,205.47. This brings the total allocation to \$19,961.30. 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 and payment. This represents full and final payment and this allocation will be closed.

T. Department of Administrative Services is requesting an emergency allocation in the amount of \$2,236.50. On September 19, 2024, Vehicle #346 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.

U. Department of Administrative Services is requesting an emergency allocation in the amount of \$6,345.70. On September 23, 2024, Vehicle #381 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 an emergency allocation in the amount of \$4,492.65. On November 2, 2024, Vehicle #403 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.

W. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$1,225.39. This brings the total allocation to \$17,658.40. 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 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 \$205.00. This brings the total allocation to \$2,448.00. On June 17, 2024, Vehicle #468 was damaged by 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.

Y. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$2,242.95. This brings the total allocation to \$5,634.35. On July 13, 2024, Vehicle #725 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.

Z. Department of Administrative Services is requesting an emergency allocation in the amount of \$5,780.80. On December 15, 2024, Vehicle #824 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.

AA. Department of Administrative Services is requesting an emergency allocation in the amount of \$5,772.14. On December 3, 2024, Vehicle #1035 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.

BB. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$549.27. This brings the total allocation to \$4,754.73. 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 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 \$1,040.65. This brings the total allocation to \$6,750.15. 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 and payment. This represents full and final payment and this allocation will be closed.

DD. Department of Administrative Services is requesting an emergency allocation in the amount of \$9,030.35. On November 19, 2024, Vehicle #1661 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.

EE. Department of Administrative Services is requesting an emergency allocation in the amount of \$5,945.65. On November 4, 2024, Vehicle #2215 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.

FF. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$4,087.51. This brings the total allocation to \$17,299.29. On September 17, 2024, Vehicle #2307 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.

GG. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$237.65. This brings the total allocation to \$2,322.65. 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 and payment. This represents full and final payment and this allocation will be closed.

HH. Department of Administrative Services is requesting an emergency allocation in the amount of \$4,468.98. On December 15, 2024, Vehicle #8398 was stolen. Request is to cover repair costs.

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

II. Department of Administrative Services is requesting an emergency allocation in the amount of \$4,130.74. On January 10, 2025, Vehicle #105470 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.

JJ. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$353.59. This brings the total allocation to \$2,561.02. 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 and payment. This represents full and final payment and this allocation will be closed.

6. Payment of Cost Items

A. Iowa State Fair\$10.815.61

On March 24, 2024, a lightning strike caused damages to the communication equipment at Elwell Outdoor Area. Request is to cover repair costs.

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

B. Board of Regents - Iowa\$23,626.00 On July 31, 2023, a window was damaged at the Voxman Music Building. Request is to cover repair costs.

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

C.	Department of Natural Resources\$193,000.00 On April 13, 2023, Loess Hills State Forest was damaged by a wildfire. Request is to cover repair costs.
	The State Auditor's Office has reviewed this request and recommends payment. This represents partial payment.
D.	Iowa Communications Network
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$1,610.46 will be reverted and this allocation closed.
E.	Iowa Communications Network
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$829.78 will be reverted and this allocation closed.
F.	Iowa Communications Network
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment.
G.	Department of Public Safety
	The State Auditor's Office has reviewed this request and recommends payment. This represents partial payment.
Н.	Department of Public Safety
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$2,133.34 will be reverted and this allocation closed.
I.	Department of Public Safety
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$10,933.33 will be reverted and this allocation closed.

J.	Department of Public Safety
	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.
K.	Department of Public Safety\$41,063.47 On June 21, 2024, Post 6 was damaged by flooding. Request is to cover repair costs.
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment.
L.	Department of Public Safety
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$2,550.00 will be reverted and this allocation closed.
M.	Department of Public Safety
	The State Auditor's Office has reviewed this request and recommends payment. This represents partial payment.
N.	Department of Administrative Services
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$57.50 will be reverted and this allocation closed.
O.	Department of Administrative Services
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$1,086.22 will be reverted and this allocation closed.
P.	Department of Administrative Services
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$324.48 will be reverted and this allocation closed.
Q.	Department of Administrative Services
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$27.50 will be reverted and this allocation closed.

R.	Department of Administrative Services
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$13,386.08 will be reverted and this allocation closed.
S.	Department of Administrative Services
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment.
T.	Department of Administrative Services
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$6,243.58 will be reverted and this allocation closed.
U.	Department of Administrative Services
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$7,146.62 will be reverted and this allocation closed.
V.	Department of Administrative Services
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$7,698.69 will be reverted and this allocation closed.
W.	Department of Administrative Services
	The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$4,672.97 will be reverted and this allocation closed.
X.	Davis, Brown, Koehn, Shors & Roberts, P.C
	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.
Y.	Dentons Davis Brown Law Firm
	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 Unclaimed Property Fund.

Z.	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.
AA	. 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.
BB	Gray Miller Persh, LLP
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from Iowa PBS.
CC	Patterson Law Firm L.L.P
	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
	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\$208.00 729 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.

FF.	Patterson Law Firm L.L.P
	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
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.
НН	Patterson Law Firm L.L.P
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.
II.	Patterson Law Firm L.L.P
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.
JJ.	Patterson Law Firm L.L.P
	Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends

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

KK	. Patterson Law Firm L.L.P\$144.00
	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
	<u>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.
LL.	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.
MM	1. Patterson Law Firm L.L.P\$32.00
	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.

7. Information Items

A. The Benton Washington Levee made their third Contingency Loan payment of \$55,555.56. This loan was approved for \$1,000,000.00 on June 8, 2020 and is prorated not to exceed twenty years. Total repayment to date: \$421,111.12.

8. Adjourn Meeting