



# EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Monday, October 07, 2024 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 September 3, 2024.

#### 2. **Personal Appearances**

A. Dennis Harper, Iowa Homeland Security and Emergency Management Department, will be present to request a Resolution of Funds in the amount of \$1,228,163.00 pursuant to Iowa Code §29C.20A and Iowa Code §29C.20AB with regard to the Governor's Proclamation of a State of Disaster Emergency for Allamakee, Cass, Des Moines, Floyd, Mills, Plymouth, Polk, Pottawattamie, Wapello, Webster, Winneshiek and Woodbury counties.

#### 3. **Iowa Code §7D.10**

A. Attorney General's office request Payment for Expenses under Iowa Code §7D.10 in the amount of \$16,800.00.

#### 4. **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 *Therese Blake v. Woodward Resource Center 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

- B. The Department of Justice, Attorney General’s Office, requests retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Patricia Brown v. Iowa Correctional Institution for Women, 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

## 5. Purchase

- A. Department of Administrative Services requests Executive Council approval to purchase property located at 3401 SW 61st Street, Des Moines, IA not to exceed the asking price of \$625,000. The property contains approximately 2.291 acres or 99,792 square feet with 200 Parking Spots and will be used to supplement parking for the office building at 6200 Park Avenue, Des Moines, Iowa.

## 6. Emergency Allocations

- A. Department of Natural Resources is requesting an emergency allocation in the amount of \$222,000.00. On June 12, 2024, a hail storm caused damages at Lewis and Clark State Park. 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 Natural Resources is requesting an emergency allocation in the amount of \$8,631.75. On July 2, 2024, a light pole was hit and damaged at Stone Street Park. 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. Board of Regents - Iowa State University is requesting an emergency allocation and reimbursement in the amount of \$30,294.40. On March 28, 2023, ruptured plastic tubing caused water damage to the Food Services Building. 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. Board of Regents - Iowa State University is requesting an emergency allocation and reimbursement in the amount of \$23,736.18. On January 17, 2024, a frozen and burst ceiling water main caused water damage to LeBaron Hall. 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.

- E. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$3,176.67. This brings the total allocation to \$16,780.73. On December 14, 2023, Vehicle #1639 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.

- F. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$378.55. This brings the total allocation to \$5,706.09. On June 12, 2024, Vehicle #225 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.

- G. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$473.23. This brings the total allocation to \$6,824.23. On June 19, 2024, Vehicle #88 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.

- H. Department of Administrative Services is requesting an emergency allocation in the amount of \$3,053.95. On July 31, 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.

- I. Department of Administrative Services is requesting an emergency allocation and reimbursement in the amount of \$379,724.29. On July 27, 2023, excessive heat caused chillers equipment to fail at the Iowa Lab Facility. 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.

- J. Department of Public Safety is requesting a supplemental emergency allocation in the amount of \$25,000.00. This brings the total allocation to \$49,340.00. On October 6, 2023, a lightning strike caused damage to the Hardin ISICS Communication Tower. 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 Public Safety is requesting an emergency allocation in the amount of \$19,000.00. On November 28, 2023, radome covers were damaged on the Brooklyn ISICS Communication Tower. 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 Public Safety is requesting an emergency allocation in the amount of \$121,000.00. From April 26, 2024 through May 9, 2024, storms and tornados caused damage at various ISICS Communication Towers. Request is to cover repair costs not covered by FEMA.

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

- M. Department of Public Safety is requesting an emergency allocation in the amount of \$9,500.00. From March 1 through March 6, 2024, high winds caused damage to the Mitchellville ISICS Communication Tower. 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 an emergency allocation in the amount of \$40,000.00. From April 26 to May 21, 2024, misaligned microwave dishes/loose cables on Underwood and Harrison ISICS Communication Towers due to severe storms. Request is to cover repair costs not covered by FEMA.

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

- O. Department of Public Safety is requesting an emergency allocation in the amount of \$10,000.00. On May 8, 2024, the Albia ISICS Communication Tower was damaged due to copper theft. 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 Public Safety is requesting an emergency allocation in the amount of \$12,000.00. On May 21, 2024, a storm caused damages to the Mason City ISICS Communication Tower. Request is to cover repair costs not covered by FEMA.

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

- Q. Department of Public Safety is requesting an emergency allocation in the amount of \$9,500.00. On May 21, 2024, a storm damaged the Tama ISICS Communication Tower. Request is to cover repair costs not covered by FEMA.

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

- R. Department of Public Safety is requesting an emergency allocation in the amount of \$2,000,000.00. On May 21, 2024, a tornado caused damage to the Adair South ISICS Communication Tower. Request is to cover repair costs not covered by FEMA.

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

- S. Department of Public Safety is requesting an emergency allocation in the amount of \$20,000.00. On May 26, 2024, a storm caused damages to the Bremer ISICS Communication Tower. Request is to cover repair costs not covered by FEMA.

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

- T. Department of Public Safety is requesting an emergency allocation in the amount of \$20,000.00. On May 26, 2024, a storm caused damage to the Fayette ISICS Communication Tower. Request is to cover repair costs not covered by FEMA.

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

- U. Department of Public Safety is requesting an emergency allocation in the amount of \$12,000.00. On May 31, 2024, a storm caused damage to Story ISICS Communication Tower. Request is to cover repair costs not covered by FEMA.

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

- V. Department of Public Safety is requesting an emergency allocation in the amount of \$9,500.00. On July 29, 2024, a severe storm damaged radome covers to the Grundy County ISICS Communication Tower. 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 Public Safety is requesting an emergency allocation in the amount of \$5,000.00. On July 29, 2024, high winds caused damage to antenna on the O’Brien ISICS Communication Tower. Request is to cover repair costs.

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

- X. Department of Public Safety is requesting an emergency allocation in the amount of \$10,000.00. On July 30, 2024, a lightning strike damaged the Adair County ISICS Communication Tower. Request is to cover repair costs.

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

**7. Payment of Cost Items**

- A. Department of Corrections - Clarinda Correctional Facility.....\$259,551.33  
On April 18, 2022, a hot water tank leak caused damages. Request is to cover repair costs.

The State Auditor’s Office has reviewed this request and recommends payment. This represents full and final payment, \$81,029.91 will be reverted and this allocation closed.

- B. Department of Corrections - Fort Dodge Correctional Facility .....\$112,135.86  
On November 17, 2022, failure of hot water tank in Laundry Unit H caused damages. Request is to cover repair costs.

The State Auditor’s Office has reviewed this request and recommends payment. This represents full and final payment, \$4,492.14 will be reverted and this allocation closed.

- C. Department of Corrections - Fort Dodge Correctional Facility .....\$141,921.22  
On December 20, 2022, a unit hot water tank leak caused damages. Request is to cover repair costs.

The State Auditor’s Office has reviewed this request and recommends payment. This represents full and final payment, \$81,444.78 will be reverted and this allocation closed.

- D. Department of Administrative Services.....\$3,273.20  
On May 7, 2023, Vehicle #2668 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, \$2,073.20 will be reverted and this allocation closed.

- E. Department of Administrative Services.....\$2,006.95  
On October 26, 2023, Vehicle #2356 was damaged by 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, \$1.10 will be reverted and this allocation closed.

- F. Department of Administrative Services.....\$4,837.75  
On June 26, 2024, Vehicle #334 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, \$370.25 will be reverted and this allocation closed.

- G. Department of Administrative Services.....\$4,139.97  
On July 8, 2024, Vehicle #440 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, \$135.00 will be reverted and this allocation closed.

- H. Department of Administrative Services.....\$61,586.97  
On July 27, 2023, excessive heat caused multiple equipment failures at the Oran Pape 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.

- I. Iowa Communications Network.....\$34,185.00  
On March 14, 2024, gopher chewing caused cable damages along 170th Street in Osceola County. Request is to cover repair costs.

The State Auditor’s Office has reviewed this request and recommends payment. This represents full and final payment, \$920.42 will be reverted and this allocation closed.

- J. Board of Regents - University of Iowa.....\$18,233.77  
On May 7, 2023, strong winds caused damage to the outfield net at the Hawkeye Softball Complex. Request is to cover repair costs.

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

- K. Board of Regents - University of Iowa.....\$35,409.01  
On July 9, 2023, a fire caused damage to the Medical Research 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.

- L. Department of Public Safety.....\$130,686.67  
On December 25, 2022, a burst pipe caused water damage to Post 8. Request is to cover repair costs.

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

- M. 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.

- N. Kevin Cmelik.....\$540.00  
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.

- O. Richard J. Bennett, Sr.....\$192.00  
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.

- P. Dentons Davis Brown Law Firm.....\$432.00  
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.

- Q. Gray Miller Persh, LLP.....\$1,547.00  
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. Gray Miller Persh, LLP.....\$1,105.00  
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.

- S. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$470.00  
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.

- T. Patterson Law Firm L.L.P.....\$80.00  
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.



- U. Patterson Law Firm L.L.P.....\$272.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Cheryl Doyle-Carrig v. UIHC 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.

- V. Patterson Law Firm L.L.P.....\$1,113.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Cheryl Doyle-Carrig v. UIHC 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

- W. Patterson Law Firm L.L.P.....\$1,184.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Sam Ferrell and Iowa State Penitentiary 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.

- X. Patterson Law Firm L.L.P.....\$212.00  
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.

- Y. Patterson Law Firm L.L.P.....\$195.00  
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.

Z. Patterson Law Firm L.L.P.....\$480.00  
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.

AA. Patterson Law Firm L.L.P.....\$159.00  
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.

BB. Patterson Law Firm L.L.P.....\$448.00  
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.

CC. Patterson Law Firm L.L.P.....\$464.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Douglas Stufflebeam v. University of Northern Iowa 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.

DD. Patterson Law Firm L.L.P.....\$1,082.00  
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.

**8. Information Items**

- A. The City of Seymour made its eighth Contingency Loan payment of \$17,180.00. This loan was approved for \$284,837.00 on May 8, 2017, and is prorated not to exceed twenty years. Total repayment to date: \$78,720.00.

**9. Adjourn Meeting**