



EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Tuesday, September 05, 2023 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 August 7, 2023.

2. **Personal Appearances**

- A. Director Adam Steen and Jessica Lingo from the Iowa Department of Administrative Services will be present to request approval of the following:
1. Premiums for Health Insurance for 2024
 2. Premiums for Dental Insurance for 2024
 3. Standard contract & rates for 2024
- B. Dennis Harper, Iowa Homeland Security and Emergency Management Department, will be present to request a Resolution of Funds in the amount of \$229,350.00 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 Des Moines, Lee and Sioux counties.
- C. Dennis Harper, Iowa Homeland Security and Emergency Management Department, will be present to request a Resolution of Funds in the amount of \$498,357.68 pursuant to Iowa Code 29C.8(3)(f)(1) and Iowa Administrative Code 605, Chapter 12, with regard to the response activation to the 2023 structural building collapse in Davenport, Iowa.

3. Iowa Code §7D.10

- A. Attorney General's office request Payment for Expenses under Iowa Code §7D.10 in the amount of \$24,000.00.

4. Leases

- A. Lease between DNR and CHS Inc.

Date of Lease: June 1, 2023 to December 31, 2027

Legal Description: A portion of the bed of the Mississippi River consisting of two sections approximately 215 feet in frontage and 45 feet in depth and 550 feet in frontage and 45 feet in depth at river mile 475.7 Section 24, Township 77 North, Range of the 5th PM in Scott County, Iowa.

Purpose: Barge loading and unloading

Annual Fee: \$4,800.00

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

- B. Lease between DNR and River Trading Company LTD

Date of Lease: January 1, 2023 to December 31, 2027

Legal Description: A portion of the bed of the Mississippi River approximately 500 feet in frontage by 30 feet of depth at River Miles 451.4, located in SW1/4 of the NE 1/4 of Section 22, Township 76 North, Range 2 West of the 5th P.M. Muscatine County, Iowa.

Purpose: Bulk barge loading and unloading

Annual Fee: \$3,000.00

Andrew E. Steffensmeier, Assistant Attorney General, has reviewed the above lease and approved the lease as to form.

- C. Lease between DNR and Tallgrass Apartments LLC

Date of Lease: January 1, 2023 to December 31, 2027

Legal Description: A portion of Parcel "H" in the NW 1/4 of the NE 1/4 of Section 17, Township 99N, Range 36W, in Dickenson County, Iowa.

Purpose: Access into residential development area

Annual Fee: \$600.00

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

- D. Lease between DNR and Interstate Power and Light Company

Date of Lease: July 1, 2023 to June 30, 2024

Legal Description: A Parcel of the bed of the Mississippi River including approximately 1400 feet of frontage by 200 feet of depth located at Mississippi River Mile 660 located in Section 2, Township 98 North, Range 34 West of the 5th P.M., Allamakee County, Iowa.

Purpose: Barge fleeting

Annual Fee: \$12,264.00

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

- E. Lease between DNR and Magellan Pipeline Terminals, L.P.
Date of Lease: October 1, 2022 to December 31, 2026
Legal Description: A portion of the bed of the Mississippi Riverbed approximately 300 feet of frontage by 40 feet in depth located at River Miles 488.5, Section 26, Township 78 North, Range 4 East of the 5th P.M. in Scout County, Iowa.
Purpose: Barge loading and unloading
Annual Fee: \$2,100.00

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

- F. Lease between DNR and CHS Inc.
Date of Lease: January 1, 2023 to December 31, 2027
Legal Description: A portion of the bed of the Mississippi River bed 450' of frontage and 145' of depth located at the River Mile 450.0, Section 27, Township 76 North, Range 2 West of the 5th P.M., Muscatine County, Iowa.
Purpose: Barge loading and unloading
Annual Fee: \$4,486.00

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

5. Emergency Allocations

- A. Department of Administrative Services is requesting an emergency allocation in the amount of \$5,371.99. On March 10, 2023, Vehicle #105663 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.

- B. Department of Administrative Services is requesting an emergency allocation in the amount of \$6,663.71. On April 4, 2023, Vehicle #105404 was damaged by hail. 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 \$14,375.94. On April 19, 2023, Vehicle #105573 was damaged by hail. 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 \$3,329.41. On April 26, 2023, Vehicle #2002 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.

- E. Department of Administrative Services is requesting an emergency allocation in the amount of \$6,994.93. On May 4, 2023, Vehicle #1774 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 \$2,505.12. On May 7, 2023, Vehicle #712 was damaged by hail. 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 \$7,870.49. On May 8, 2023, Vehicle #105630 was damaged by hail. 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 \$12,854.25. On May 19, 2023, Vehicle #105872 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 in the amount of \$3,004.65. On May 24, 2023, State Patrol Vehicle #362 hit a fox. 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 \$3,434.95. On May 31, 2023, Vehicle #495 was damaged by hail. 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 \$8,076.99. On June 19, 2023, Vehicle #1975 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 \$3,431.39. On June 19, 2023, Vehicle #2793 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 \$5,071.09. On June 26, 2023, Vehicle #2567 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 \$4,721.55. On July 3, 2023, Vehicle #2566 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 \$16,208.60. On July 4, 2023, Vehicle #1192 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 \$9,769.50. On July 7, 2023, Vehicle #283 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 \$37,875.00. On March 31, 2023, the roof membrane at the Hoover building 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.

- R. Iowa Communications Network is requesting an emergency allocation in the amount of \$19,500.50. On May 25, 2023, a cable was damaged by a rodent chew at 155th Street and Quail Avenue in Floyd County. 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.

- S. Department of Natural Resources is requesting a supplemental emergency allocation in the amount of \$3,227.99. This brings the total allocation to \$30,437.99. On November 7, 2018, flooding caused damages to road crossings at Little Sioux Wildlife Management Area in Clay County. Request is to cover repair costs.
- T. Department of Natural Resources is requesting an emergency allocation and reimbursement in the amount of \$5,796.17. On June 30, 2019, a storm caused damages to Maquoketa Caves State Park. 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.

- U. Department of Natural Resources is requesting an emergency allocation in the amount of \$1,814,320.00. On April 13, 2023, Loess Hills State Forest experienced a wildfire. 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 Public Safety is requesting an emergency allocation in the amount of \$7,177.48. On July 4, 2022, State Patrol Vehicle #383 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 Public Safety is requesting an emergency allocation in the amount of \$2,860.90. On September 14, 2022, State Patrol Vehicle #642 was damaged by a small animal. 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 \$6,446.56. On December 5, 2022, State Patrol Vehicle #360 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.

- Y. Department of Public Safety is requesting an emergency allocation in the amount of \$23,936.73. On March 21, 2023, State Patrol Vehicle #891 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.

- Z. Department of Public Safety is requesting an emergency allocation in the amount of \$3,675.05. On March 31, 2023, State Patrol Vehicle #482 was damaged by hail. 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 Public Safety is requesting an emergency allocation in the amount of \$9,436.25. On April 19, 2023, State Patrol Vehicles #44, #167, #636 and #662 were damaged by hail. 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 Public Safety is requesting an emergency allocation in the amount of \$3,414.83. On April 20, 2023, State Patrol Vehicle #356 was damaged by a squirrel. Request is to cover repair costs.

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

CC. Department of Public Safety is requesting an emergency allocation in the amount of \$29,136.51. On May 7, 2023, State Patrol Vehicles #256, #162, and #525 were damaged by hail. Request is to cover repair costs.

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

DD. Department of Public Safety is requesting an emergency allocation in the amount of \$5,538.42. On May 7, 2023, State Patrol Vehicles #305 and #191 were damaged by hail. 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 Public Safety is requesting an emergency allocation in the amount of \$7,114.85. On June 9, 2023, State Patrol Vehicle #315 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 Public Safety is requesting a supplemental emergency allocation in the amount of \$7,340.30. This brings the total allocation to \$113,644.30. On June 25, 2022, a severe storm and lightning strike caused damages to the Jones ISICS tower. 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 Public Safety is requesting an emergency allocation and reimbursement in the amount of \$36,457.33. On February 27, 2023, a lightning strike caused damages to the Waterloo ISICS tower. 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.

6. Payment of Cost Items

- A. Iowa Communications Network.....\$6,658.14
On January 23, 2023, a cable was vandalized along SE 14th Street at Bridge North of MLK Parkway in Polk 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, \$3,611.86 will be reverted and this allocation closed.

- B. Department of Cultural Affairs.....\$2,410.00
On May 16, 2023, Western Historic Trails Center was damaged by gun shots. 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. Iowa State Fair.....\$27,186.45
On August 19, 2022, multiple lighting strikes caused damages to the communication infrastructure. Request is to cover repair costs.

The State Auditor’s Office has reviewed this request and recommends payment. This represents full and final payment, \$113.55 will be reverted and this allocation closed.

- D. Department of Natural Resources.....\$26,544.47
On June 26, 2021, flash flooding caused damages at Yellow River State Forest in Allamakee 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, \$11,048.03 will be reverted and this allocation closed.

- E. Department of Natural Resources.....\$53,900.00
On May 2, 2022, a large tree fell due to wind on the Balance Rock Boardwalk Stairs at Maquoketa Caves State Park. Request is to cover repair costs.

The State Auditor’s Office has reviewed this request and recommends payment. This represents full and final payment, \$150.00 will be reverted and this allocation closed.

- F. Department of Public Safety\$8,466.67
On January 18, 2023, the Keosauqua ISICS communication tower had its copper grounding cables stolen. Request is to cover repair costs.

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

- G. Department of Public Safety.....\$7,950.40
On March 5, 2022, a tornado caused damages to numerous 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, \$6,394.06 will be reverted and this allocation closed.

- H. Richard J. Bennett, Sr.....\$150.00
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.

- I. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$290.00
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.

- J. Patterson Law Firm L.L.P.....\$50.00
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

- K. Patterson Law Firm L.L.P.....\$312.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Donald Briggles v. Iowa DOT, 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.....\$688.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Dawn Cline 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.

M. Patterson Law Firm L.L.P.....\$713.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Stephen Littlepage 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.

N. Patterson Law Firm L.L.P.....\$251.00
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.

O. Patterson Law Firm L.L.P.....\$340.00
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.

P. Patterson Law Firm L.L.P.....\$96.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Debbie Wessels v. Department of Correctional Services 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. Patterson Law Firm L.L.P.....\$976.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Debbie Wessels v. Department of Correctional Services 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.

7. Adjourn Meeting