



# EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Tuesday, January 09, 2024 at 10:00 AM

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## 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 4, 2023.

### 2. **Personal Appearances**

A. Luke Donahe, Iowa Department of Homeland Security and Emergency Management, will be present to request the following:

1. Allocate \$1,316,186.00 pursuant Iowa Code 29C.6(17) for Presidential Disaster Declaration DR-4732 (Flooding event, 4/24/2023 to 5/13/2023, declared 8/25/2023).
2. Approval of Hazard Mitigation Financial Assistance in the amount of \$2,570,474.00 (Iowa Code 29C.7) for the Building Resilience Infrastructure and Communities (BRIC) Program.

### 3. **Iowa Code §7D.10**

A. Attorney General's office request Payment for Expenses under Iowa Code §7D.10 in the amount of \$19,109.49.

#### 4. Special Counsel

- A. The Department of Justice, Attorney General's Office, requests retention of special counsel to represent the Iowa Telecommunications and Technology Commission/Iowa Communications Network ("ICN") to provide legal services related to federal law and regulations.

Nelson Mullins  
101 Constitution Avenue  
NW Suite 900  
Washington, D.C., 20001

Rate: Monthly rate of \$3,375 for an initial term of one year with all attorney fees and costs to be paid from the Iowa Communications Network.

#### 5. Emergency Allocations

- A. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$62.00. This brings to total allocation to \$3,066.65. On May 24, 2023, Vehicle #362 was damaged by a fox. 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 Administrative Services is requesting a supplemental emergency allocation in the amount of \$1,168.61. This brings the total allocation to \$9,940.94. On June 7, 2023, Vehicle #105240 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.

- C. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$963.64. This brings to total allocation to \$4,395.03. 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 and payment. This represents full and final payment and this allocation will be closed.

- D. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$1,818.91. This brings the total allocation to \$6,890.00. 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 and payment. This represents full and final payment and this allocation will be closed.

- E. Department of Administrative Services is requesting an emergency allocation in the amount of \$4,583.05. On October 13, 2023, Vehicle #117271 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 \$4,505.98. On October 16, 2023, Vehicle #16 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.

- G. Department of Administrative Services is requesting an emergency allocation in the amount of \$6,055.94. On October 22, 2023, Vehicle #1368 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 \$3,234.00. On October 23, 2023, Vehicle #325 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 \$2,008.05. On October 26, 2023, Vehicle #2356 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 Administrative Services is requesting an emergency allocation in the amount of \$2,648.36. On October 29, 2023, Vehicle #414 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.

- K. Department of Public Safety is requesting a supplemental emergency allocation in the amount of \$1,275.03. This brings to total allocation to \$10,273.28. On March 15, 2023, Fire Marshall Vehicle #715 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.

- L. Department of Public Safety is requesting a supplemental emergency allocation in the amount of \$312.00. This brings to total allocation to \$4,350.15. On April 19, 2023, State Patrol Vehicle #204 was damaged by storms and strong winds. 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.

- M. Department of Public Safety is requesting a supplemental emergency allocation in the amount of \$2,386.55. This brings to total allocation to \$9,501.40. 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 and payment. This represents full and final payment and this allocation will be closed.

- N. Department of Public Safety is requesting an emergency allocation in the amount of \$29,400.01. On September 9, 2023, numerous vehicles were vandalized. 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 Corrections - Anamosa State Penitentiary is requesting an emergency allocation and reimbursement in the amount of \$3,699.86. On April 21, 2023, high winds caused a power outage and damage to generators and equipment. Request is to cover repair costs.

The State Auditor’s Office has reviewed this request and recommends allocation and reimbursement. This represents partial payment as an additional request will be submitted when further repairs are completed.

- P. Department of Corrections - Anamosa State Penitentiary is requesting a supplemental emergency allocation in the amount of \$9,000.00. This brings to total allocation to \$12,399.86. On April 21, 2023, high winds caused a power outage and damage to generators and equipment.. Request is to cover repair costs.

The State Auditor’s Office has reviewed this request and recommends allocation and payment of \$9,000.00. This represents partial payment as an additional request will be submitted when all repairs are completed.

- Q. Department of Natural Resources is requesting a supplemental emergency allocation in the amount of \$100,207.90. This brings the total allocation to \$357,436.43. 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.

**6. Payment of Cost Items**

- A. Department of Administrative Services .....\$5,283.30  
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 payment. This represents full and final payment, \$88.69 will be reverted and this allocation closed.

- B. Department of Administrative Services .....\$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 payment. This represents full and final payment.

- C. Department of Administrative Services .....\$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 payment. This represents full and final payment.

- D. Department of Administrative Services .....\$8,272.10  
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 payment. This represents full and final payment, \$7,936.50 will be reverted and this allocation closed.

- E. Department of Administrative Services .....\$9,769.50  
On July 7, 2023, State Patrol Vehicle #283 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.

- F. Department of Public Safety.....\$2,731.84  
On February 1, 2022, State Patrol Vehicle #105149 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.

- G. Department of Public Safety .....\$3,370.25  
On August 21, 2022, State Patrol Vehicle #344 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.

- H. Department of Public Safety .....\$4,218.40  
On March 31, 2023, State Patrol Vehicle #803 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, \$103.50 will be reverted and this allocation closed.

- I. Department of Public Safety .....\$2,349.75  
On April 21, 2023, State Patrol Vehicle #213 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.

- J. Department of Public Safety .....\$10,260.82  
State Patrol Vehicle #309 was damaged by hail on May 7, 2023, and damaged by a raccoon on May 9, 2023. 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. Department of Public Safety .....\$5,465.78  
On May 7, 2023, State Patrol Vehicle #214 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.

- L. Department of Public Safety .....\$6,432.20  
On May 7, State Patrol Vehicle #161 and #431 were 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.

- M. Iowa Communications Network.....\$19,350.74  
On May 25, 2023, a rodent caused damage to a cable 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 payment. This represents full and final payment, \$149.76 will be reverted and this allocation closed.

- N. Board of Regents - University of Iowa.....\$75,890.29  
On December 31, 2020, a failed steam valve caused damages at the College of Public Health. Request is to cover repair costs.

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

- O. Board of Regents - University of Iowa.....\$15,558.95  
On February 8, 2021, frozen and burst water lines caused water damaged at the Field House. Request is to cover repair costs.

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

- P. Gray Miller Persh, LLP.....\$2,431.00  
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.

- Q. Richard J. Bennett, Sr.....\$2,958.00  
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.

R. Thomas Hillers.....\$10,000.00  
112 Main St West, Suite 100  
State Center, IA 50247  
Tribal cases when the offenses are committed by non-natives against non-natives (or without a victim) on the Sac and Fox Indian Settlement in Tama County

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

S. Patterson Law Firm L.L.P.....\$364.00  
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

T. Patterson Law Firm L.L.P.....\$228.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
John Baker v. Iowa Veterans Home 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.....\$96.00  
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.

V. Patterson Law Firm L.L.P.....\$1,280.00  
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.

W. Patterson Law Firm L.L.P.....\$346.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Betty Detert v. DHS Johnson County 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.....\$336.00  
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.

Y. Patterson Law Firm L.L.P.....\$368.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Sam Ferrell v. Iowa State Penitentiary 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.....\$80.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Luanna Hollingsworth 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.

AA. Patterson Law Firm L.L.P.....\$98.00  
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.



BB. Patterson Law Firm L.L.P.....\$1,448.00  
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.

CC. Patterson Law Firm L.L.P.....\$34.00  
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.

DD. Patterson Law Firm L.L.P.....\$416.00  
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.

**7. Adjourn Meeting**