



EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Monday, May 09, 2022 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. Michael L. Fitzgerald | **Treasurer of State**

Hon. Michael L. Naig | **Secretary of Agriculture**

Teleconference Only

Conference Call Phone Number: (866) 685-1580

Conference Code Pin: 0009990993

1. **Approval of Minutes**

A. Approval of the minutes from the Executive Council meeting held on April 18, 2022.

2. **Personal Appearances**

A. Christie Templeton, Department of Human Services, will be present to request funds in the amount of \$177,000.00 pursuant to Iowa Code §29C.20A and §29C.20B with regard to the Governor's Proclamation of a State of Disaster Emergency for Cerro Gordo, Hancock, Howard, Humboldt, Mitchell, Pocahontas, Winneshiek and Worth counties.

3. **Iowa Code §7D.10**

A. Attorney General's office request Payment for Expenses under Iowa Code §7D.10 in the amount of \$11,200.00.

4. **Payment of Cost Items**

A. Department of Natural Resources\$1,732.20
Drainage taxes for the following counties:

Polk County \$1,732.20

Michael J. Moss, Assistant Attorney General, has reviewed this request and recommends payment.

- B. Gray Miller Persh, LLP.....\$4,250.60
2233 Wisconsin Avenue NW
Suite 226
Washington, D.C. 20007
Iowa PBS

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from Iowa PBS

- C. Denton Davis Brown PC.....\$319.00
215 10th Street, Suite 1300
Des Moines, IA 50309-3993
Special Counsel Dentons Davis Brown Employee Retirement Income Security Act (ERISA)

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Unclaimed Property Fund.

- D. Michael Marquess.....\$5,000.00
2183 Docks Drive
Garwin, IA 50632
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

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the General Fund.

- E. Hall Render Killian Health & Lyman P.C. (Baker)\$1,440.79
PO BOX 771910
Detroit, MI 48277-1910
University of Iowa Hospitals and Clinics (UIHC)

Jeffrey S. Thompson, Solicitor General, has reviewed these invoices and recommends payment. Payment will be made from the funds of the University of Iowa Hospitals and Clinics.

- F. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$458.30
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

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Iowa Department of Revenue

5. Information Items

- A. Per Iowa Code 161E.14, the Johnson County Auditor certifies the amounts allocated to each school district, local fire departments of the unincorporated villages, townships, and cities of the county which are principally affected by the federal flood control project involved, to be paid and prorated among them as determined by the board of supervisors for FY21.

6. Adjourn Meeting



EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Monday, April 18, 2022 at 10:00 AM

MINUTES

The Executive Council met in regular session at 10:00 a.m. via conference call. Governor Kim Reynolds presided over the meeting. Secretary of State Paul Pate, Treasurer of State Michael Fitzgerald and Secretary of Agriculture Michael Naig were present. Auditor of State Rob Sand arrived after the minutes were approved.

1. Approval of Minutes

Moved by Secretary Pate and seconded by Secretary Naig that the Council approve the minutes of the Executive Council meeting held on April 4, 2022.

The vote:	Ayes:	Governor Reynolds
		Secretary Pate
		Treasurer Fitzgerald
		Secretary Naig
	Nays:	None

2. Leases

Moved by Auditor Sand and seconded by Treasurer Fitzgerald that the Council approve the following lease:

- A. Lease between DNR and Matteson Marine Service, Inc.
 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

The vote:	Ayes:	Governor Reynolds Secretary Pate Auditor Sand Treasurer Fitzgerald Secretary Naig
	Nays:	None

3. Emergency Allocations

Moved by Auditor Sand and seconded by Treasurer Fitzgerald that the Council approve the following emergency allocation items:

- A. The Department of Public Safety requested an emergency allocation and reimbursement in the amount of \$122,525.11. On September 9, 2020, a leak in the conference room at the Iowa State Patrol District 8 in Mason City was caused by recurring roof damages. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- B. The Department of Public Safety requested an emergency allocation in the amount of \$53,486.54. On September 7, 2021, the tower lighting system on the Waterloo ISICS Communication Tower was damaged by weather. Request was to cover repair costs.
- C. The Department of Public Safety requested an emergency allocation in the amount of \$44,534.76. On March 5, 2022, numerous ISICS communication towers were damaged by tornado/wind. Request was to cover repair costs.
- D. The University of Iowa requested an emergency allocation in the amount of \$25,081.00. On February 23, 2021, the maintenance building at MacBride Nature Recreation Area was damaged due to weight of snow and ice. Request was to cover repair costs.
- E. The Department of Corrections requested an emergency allocation and reimbursement in the amount of \$233,962.95. On August 24, 2021, the boiler and burner assembly at the Mount Pleasant Correctional Facility was damaged due to an explosion. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- F. The Iowa Communications Network requested an emergency allocation in the amount of \$24,356.36. On March 23, 2022, a cable along 150th Street in Floyd County was damaged due to a rodent chew. Request was to cover repair costs.

The vote:	Ayes:	Governor Reynolds Secretary Pate Auditor Sand Treasurer Fitzgerald Secretary Naig
	Nays:	None

4. Payment of Cost Items

Moved by Secretary Naig and seconded by Auditor Sand that the Council approve the following cost items:

- A. Department of Corrections - Mitchellville\$18,475.68
On December 15, 2021, a commercial dryer caused fire damage. Request was to cover repair costs. This represents full and final payment.
- B. Department of Public Safety\$70,317.00
On July 9, 2021, multiple vehicles were damaged by hail. Request was to cover repair costs. This represents partial payment.
- C. Department of Public Safety\$11,134.85
On November 5, 2021, Vehicle #71 was damaged by a deer. Request was to cover repair costs. This represents full and final payment, \$4,025.00 will be reverted and this allocation closed.
- D. Iowa Communications Network\$24,478.10
On September 14, 2021, a cable was damaged due to excessive erosion along Highway 18 in Clay County. Request was to cover repair costs. This represents full and final payment, \$225.30 will be reverted and this allocation closed.
- E. Iowa Communications Network\$15,768.10
On September 21, 2021, a cable was damaged due to excessive erosion along Highway 1 in Van Buren County. Request was to cover repair costs. This represents full and final payment, \$1,603.30 will be reverted and this allocation closed.
- F. Iowa Communications Network\$12,416.10
On November 15, 2021, a cable was damaged due to a washed out culvert along Highway 2 in Page County. Request was to cover repair costs. This represents full and final payment, \$2,991.32 will be reverted and this allocation closed.
- G. Board of Regents - University of Iowa.....\$27,319.01
On February 17, 2020, valve failure on a restroom toilet caused water damages to the Pappajohn Business Building. Request was to cover repair costs. This represents full and final payment.
- H. Board of Regents - University of Iowa.....\$5,672.20
On February 25, 2020, a broken sink handle caused water damages to the Pappajohn Business Building. Request was to cover repair costs. This represents full and final payment.
- I. Board of Regents - University of Iowa.....\$17,682.03
On March 8, 2021 the weight of snow and ice caused damage to the roof at MacBride Nature Recreation Area. Request was to cover repair costs. This represents full and final payment.
- J. Hall Render Killian Health & Lyman P.C. (Baker)\$571.78
PO BOX 771910
Detroit, MI 48277-1910
University of Iowa Hospitals and Clinics (UIHC)

- K. Hall Render Killian Health & Lyman P.C. (Baker).....\$371.46
 PO BOX 771910
 Detroit, MI 48277-1910
University of Iowa Hospitals and Clinics (UIHC)
- L. Denton Davis Brown PC.....\$21.00
 215 10th Street, Suite 1300
 Des Moines, IA 50309-3993
Special Counsel for Copyright, Trademark & Patent Issues
- M. Patterson Law Firm L.L.P.....\$320.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Richard Adrian v. University of Iowa, State of Iowa and Second Injury Fund of Iowa
- N. Patterson Law Firm L.L.P.....\$64.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Robert Allen v. University of Iowa Hospitals & Clinics, State of Iowa and Second Injury Fund of Iowa
- O. Patterson Law Firm L.L.P.....\$736.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Debra J. Breckenridge v. Iowa Judicial Branch, State of Iowa and Second Injury Fund of Iowa
- P. Patterson Law Firm L.L.P.....\$296.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Donald Briggie v. Iowa DOT, State of Iowa and Second Injury Fund of Iowa
- Q. Patterson Law Firm L.L.P.....\$16.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Michelle Franz v. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa
- R. Patterson Law Firm L.L.P.....\$80.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Cyril Irvine v. Anamosa State Penitentiary; State of Iowa and Second Injury Fund of Iowa
- S. Patterson Law Firm L.L.P.....\$16.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Debra Oelrich v. University of Iowa Hospitals & Clinics, State of Iowa and Second Injury Fund of Iowa

- T. Patterson Law Firm L.L.P.....\$40.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Mark Ostring v. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa
- U. Patterson Law Firm L.L.P.....\$64.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Bryson Powell v. Glenwood Resource Center, State of Iowa and Second Injury Fund of Iowa
- V. Patterson Law Firm L.L.P.....\$64.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Geoffrey Ray Wellman v. Iowa State Penitentiary, State of Iowa and Second Injury Fund of Iowa

The vote: Ayes: Governor Reynolds
 Secretary Pate
 Auditor Sand
 Treasurer Fitzgerald
 Secretary Naig
 Nays: None

5. Information Items

- A. Status of State Aid (Iowa Code 29C.20) Allocations quarterly update.
- B. On Monday, August 9, 2021, the Executive Council approved an emergency allocation for the Iowa Communications Network in the amount of \$7,327.00. On April 9, 2021, ICN sustained cable damage due to accidental tripping of fires suppression system at DMACC Ankeny Campus. Request was to cover repair costs.

The Iowa Communication Network was reimbursed for these damages by the contractor; therefore, the allocation should be reverted to the State Treasury and the allocation closed.

6. Adjourn Meeting

Moved by Secretary Pate and seconded by Treasurer Fitzgerald that the meeting adjourn.

Respectfully submitted,



Victoria Newton
 Executive Secretary

Kim Reynolds, Governor

Adam Gregg, Lt. Governor

Kelly Garcia, Director

Victoria Newton, Executive Secretary
Executive Council of Iowa
State Capitol Building

Re: Governor's Proclamation of a State of Disaster Emergency – Request for Funds

Dear Ms. Newton:

On April 12, 2022, there were damaging winds, straight-line winds, heavy rains, thunderstorms, and tornadoes in Cerro Gordo, Hancock, Howard, Humboldt, Mitchell, Pocahontas, Winneshiek, and Worth counties causing damage.

Per the Governor's Disaster Proclamation, I am requesting funding for the Iowa Individual Assistance Grant Program (IIAGP) and Iowa Disaster Case Management Grant Program (IDCM) be placed on the Executive Council Agenda for Monday, May 2, 2022. The Iowa Department of Human Services is requesting the Executive Council adopt a Resolution for Funds in the amount of \$177,000.00 to be allocated as follows.

- \$100,000.00 for IIAGP for Cerro Gordo, Hancock, Humboldt, Mitchell, Pocahontas, Winneshiek, and Worth counties
- \$50,000.00 for IDCM for Cerro Gordo, Hancock, Humboldt, Mitchell, Pocahontas, Winneshiek, and Worth counties
- \$25,000.00 for IIAGP for Howard County
- \$2,000.00 for IDCM for Howard County

Pursuant to Iowa Code 29C.20A, these funds will be distributed to individuals or families to replace/repair items affected by the disaster emergency which cannot be met by other means of financial assistance. Pursuant to Iowa Code 29C.20B, funding will be distributed to Disaster Case Management to help individuals or families with unmet needs that were affected by the disaster to establish a recovery plan.

The account coding for the funds to be transferred will be:

<u>Dept</u>	<u>Fund</u>	<u>Appr</u>	<u>Org</u>
401	0391	0000	1964 – State Only Disaster IIAGP – 7 counties (4/12/22)
401	0391	0000	6074 – State Only Disaster IDCM – 7 counties (4/12/22)
401	0391	0000	1965 – State Only Disaster IIAGP – Howard County (4/12/22)
401	0391	0000	6075 – State Only Disaster IDCM – Howard County (4/12/22)

Thank you for your assistance.

Sincerely,



Kelly Garcia
Director

cc: Vern Armstrong, Department of Human Services
Christie Templeton, Department of Human Services
Barb DeJooode, Department of Human Services
Robert Beran, Department of Human Services
Julie McCauley, Department of Human Services
Linda Leto, Department of Management

THOMAS J. MILLER
ATTORNEY GENERAL

JEFFREY S. THOMPSON
SOLICITOR GENERAL



IOWA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

1305 E. WALNUT ST.
DES MOINES, IA 50319
Main: 515-281-5164 • Direct: 515-281-4419
Email: Jeffrey.Thompson@iowa.gov
www.iowaattorneygeneral.gov

April 20, 2022

Ms. Victoria Newton
Executive Secretary
Executive Council
State Capitol
L-O-C-A-L

Re: Request for Payment of SVP Court Costs


Dear Victoria:

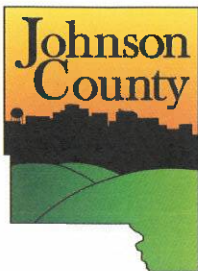
Our Office requests Executive Council approval for payment pursuant to Iowa Code section 7D.10 for court costs and expenses incurred in prosecuting civil commitments under Iowa Code chapter 229A for the Sexually Violent Predator (SVP) program.

In addition to the cost of employee salaries, travel and support devoted to this program, the Office incurs substantial expenses for expert witnesses. These expenses have increased substantially due to the growing number of chapter 229A commitments. Section 7D.10 authorizes payment of court costs and expenses by the Executive Council “[i]f sufficient funds for court costs have not been appropriated to a state department, or if sufficient funds are not otherwise available for such purposes within the budget of a state department.” There is no specific appropriation for these expenses and sufficient funds are not otherwise available.

Therefore, pursuant to Iowa Code section 7D.10, the Office requests Executive Council approval of payment of \$11,200.00 for record review/report preparation (invoices enclosed).

Sincerely,


JEFFREY S. THOMPSON
Solicitor General



AUDITOR and COMMISSIONER OF ELECTIONS

Travis Weipert
Auditor

April 28, 2022

Executive Council, State of Iowa
Attn: Victoria Newton
State Capitol Building
Des Moines, IA 50319

Dear Ms. Newton:

As required by Iowa Code section 161E.14, enclosed are the amounts allocated to Johnson County Secondary Roads, school districts, and fire departments for the FY21 scheduled payment to Johnson County from the federal government for flood control pursuant to 33 USC 701c-3.

Please contact me at (319) 356-6004 or cedwards@johnsoncountyiowa.gov if you have any questions.

Sincerely,

Chris Edwards
First Deputy Auditor

I:\ACCTG\GL\Flood Control\Flood Control.xls\FY21

FISCAL YEAR 2021 FLOOD CONTROL PAYMENT			RECEIVED	04/22/22
FLOOD CONTROL				
SECONDARY ROADS	25%	X	62,698.93	15,674.74
SCHOOL DISTRICTS	65%	X	62,698.93	40,754.30
FIRE DISTRICTS	10%	X	62,698.93	6,269.89
	100%		TOTAL	62,698.93
SCHOOL DISTRICTS				
Expense : 57-77-050FL00-95105				
Vendor # in GEMS				
CLEAR CREEK	38%	X	40,754.30	15,486.64
COLLEGE COMMUNITY	24%	X	40,754.30	9,781.03
IOWA CITY COMMUNITY	11%	X	40,754.30	4,482.97
SOLOIN	27%	X	40,754.30	11,003.66
	100%		TOTAL	40,754.30
FIRE DISTRICTS				
BIG GROVE TOWNSHIP FIRE	23%	X	6,269.89	1,442.08
MADISON TOWNSHIP FIRE	21%	X	6,269.89	1,316.68
NEWPORT TOWNSHIP FIRE	5%	X	6,269.89	313.49
PENN TOWNSHIP FIRE	10%	X	6,269.89	626.99
OXFORD FIRE DEPT	18%	X	6,269.89	1,128.58
SWISHER FIRE DEPT	23%	X	6,269.89	1,442.07
	100%		TOTAL	6,269.89

Clear Creek increased one cent due to rounding.

Big Grove increased one cent due to rounding.