



# EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Monday, August 04, 2025 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 July 21, 2025.

#### 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 \$885,919.00 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 Crawford, Harrison, Monona and Woodbury Counties.

#### 3. **Iowa Code §7D.10**

[A.](#) Attorney General's office requests Payment for Expenses under Iowa Code §7D.10 in the amount of \$41,707.75.

#### 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 *McBride, Darrell v. Newton Correctional Facility 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:	\$175.00 Per Hour



## 5. Special Counsel

- A. The Department of Justice, Attorney General's Office, requests retention of special counsel pursuant to Iowa Code section 13.7 to represent the State with respect to investigations into and possible litigation of retention of moneys due to the State by refund aggregators affiliated with pharmacy benefit managers that do business with the State.

Firm: Barbour Hurst  
1400 Meadowbrook  
Jackson, MS 39211  
Rate: Contingent-fee basis

## 6. Leases

- A. Lease between DNR and Cargill, Inc.

Date of Lease: March 1, 2025 to February 28, 2030  
Legal Description: 740' of frontage on the Mississippi River in Scott County, Iowa  
Purpose: Commercial barge loading and unloading  
Annual Fee: \$4,719.54

Kevin Protzmann, Assistant Attorney General, has reviewed the above lease and approved the lease as to form.

- B. Lease between DNR and WME Holding Company, previously approved 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 Mile 451.4, located in SW 1/4 of the NE 1/4 of Section 22, Township 76 North, Range 2 West of the 5th P.M., Muscatine County, Iowa.  
Purpose: Barge loading and unloading  
Annual Fee: \$3,000.00

Kevin Protzmann, Assistant Attorney General, has reviewed the above lease and approved the lease as to form.

## 7. Emergency Allocations

- A. Department of Natural Resources is requesting an emergency allocation in the amount of \$14,980.30. On June 10, 2025, Lake Anita State Park was damaged by a fire. 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 Corrections is requesting an emergency allocation and reimbursement in the amount of \$48,673.95. On April 22, 2025, the Newton Correctional Facility was damaged and had loss of items due to inclement weather and lightning strike. 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. Department of Administrative Services is requesting an emergency allocation in the amount of \$3,338.89. On June 25, 2025, Vehicle #42 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.

- D. Department of Administrative Services is requesting an emergency allocation in the amount of \$3,410.41. On July 13, 2025, Vehicle #47 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 \$3,295.75. On April 17, 2025, Vehicle #51 was damaged during winter 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.

- F. Department of Administrative Services is requesting an emergency allocation in the amount of \$17,697.78. On April 14, 2025, Vehicle #188 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 \$5,506.80. On July 2, 2025, Vehicle #312 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 \$6,241.60. On July 6, 2025, Vehicle #431 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 \$2,681.72. On June 29, 2025, Vehicle #1093 was damaged by a tree. 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 \$6,515.15. On July 9, 2025, Vehicle #1189 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.

- K. Department of Administrative Services is requesting an emergency allocation in the amount of \$2,056.35. On July 1, 2025, Vehicle #2252 was damaged by vandalism. 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 a supplemental emergency allocation in the amount of \$282.00. This brings the total allocation to \$2,875.00. On April 23, 2025, Vehicle #395 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.

- M. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$4,917.71. This brings the total allocation to \$13,323.41. On April 18, 2025, Vehicle #1746 was damaged by hail. 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.

## **8. Payment of Cost Items**

- A. Department of Public Safety .....\$94,915.00  
On May 21, 2024, Adair South ISICS Communication Tower was damaged by tornado.  
Request is to cover repair costs.

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

- B. Department of Natural Resources .....\$8,791.62  
On February 28, 2025, two buildings at Beeds Lake State Park were damaged due to high winds and a fallen tree. 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 .....\$8,631.75  
On July 2, 2024, a light pole was damaged at Stone 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.



- D. Department of Administrative Services .....\$4,959.75  
On April 18, 2025, Vehicle #102 and #192 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.

- E. Department of Administrative Services .....\$4,651.96  
On April 14, 2025, Vehicle #105126 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.

- F. Department of Administrative Services .....\$7,196.45  
On April 17, 2025, Vehicle #469 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, \$878.80 will be reverted and this allocation closed.

- G. Department of Administrative Services .....\$7,700.75  
On April 23, 2025, Vehicle #828 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, \$388.60 will be reverted and this allocation closed.

- H. Patterson Law Firm L.L.P. ....\$923.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Suite 729  
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.

## 9. Information Items

- A. Notification from the State Auditor's Office that funds previously allocated for the Department of Administrative Services to cover damages to Vehicle #221 due to damaged during blizzard conditions on March 5, 2025 are not required; \$20,636.72 will be reverted and this allocation closed.

## 10. Adjourn Meeting





# EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Monday, July 21, 2025 at 10:00 AM

## MINUTES

The Executive Council met in regular session at 10:00 a.m. via conference call. Secretary of Agriculture Mike Naig presided over the meeting. Treasurer of State Roby Smith and Auditor of State Rob Sand were present. Secretary of State Paul Pate joined after approval of the July 7, 2025 minutes, and Governor Kim Reynolds was absent.

### 1. Approval of Minutes

Moved by Auditor Sand and seconded by Treasurer Smith that the Council approve the minutes from the Executive Council meeting held on July 7, 2025.

The vote:	Ayes:	Treasurer Smith Secretary Naig Auditor Sand
	Nays:	None

### 2. Outside Counsel

Moved by Auditor Sand and seconded by Treasurer Smith that the Council approve the following outside counsel request:

- A. The Department of Justice, Attorney General's Office, requested retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Marrero, Brenda f/k/a Brenda Schaefer v. Independence Mental Health Institute 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:	\$175.00 Per Hour

The vote:	Ayes:	Treasurer Smith Secretary Naig Secretary Pate Auditor Sand
	Nays:	None



### 3. Special Counsel

Moved by Auditor Sand and seconded by Secretary Pate that the Council approve the following special counsel requests:

- A. The Department of Justice, Attorney General's Office, requested retention of special local counsel pursuant to Iowa Code section 13.7 to represent Iowa Department of Natural Resource's Captain Grant Gelly in matter Damer v. Gelly in the Circuit Court for the County of Macomb, Michigan.

Firm: Butzel Long  
 Attorney: Barrett R.H. Young  
 150 West Jefferson  
 Suite 100  
 Detroit, MI 48226

Rate: \$465.00 per hour; some services may be furnished by lawyers with rates of up to \$485 per hour

- B. The Department of Justice, Attorney General's Office, requested retention of special counsel pursuant to Iowa Code section 13.7 to represent the Iowa Utilities Commission in matters relating to the Federal Energy Regulatory Commission's authority over projects approved or authorized by the Midcontinent Independent System Operator.

Firm: Dorsey & Whitney LLP  
 801 Grand Avenue  
 Unit 4100  
 Des Moines, IA 50309

Rate: \$765.00 Per Hour

The vote:	Ayes:	Treasurer Smith Secretary Naig Secretary Pate Auditor Sand
	Nays:	None

### 4. Leases

Moved by Auditor Sand and seconded by Treasurer Smith that the Council approve the following leases:

- A. Lease between DNR and Lucila Marquette

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

Legal Description: A parcel east of the residence at 19208 Imperial Road West Union, IA 52175 with a frontage of 50 feet and a depth of 75 feet located in the SE 1/4 of the SE 1/4 of Section 34, Township 94 North, Range 8 West of the 5th P.M., Fayette, County, Iowa

Purpose: Septic leech field

Annual Fee: \$224.00, with cumulative CPI adjustments in 2026 and 2027



B. Lease between DNR and Guardian Holdings LLC

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

Legal Description: A 360' of frontage on the Mississippi River in Scott County, Iowa

Purpose: Commercial

Annual Fee: \$1,292.89

The vote:	Ayes:	Treasurer Smith
		Secretary Naig
		Secretary Pate
		Auditor Sand
	Nays:	None

## 5. Emergency Allocations

Moved by Secretary Pate and seconded by Treasurer Smith that the Council approve the following allocation requests:

- A. Board of Regents - University of Iowa requested an emergency allocation in the amount of \$77,359.25. On January 21, 2025, University Capitol Centre was damaged due to failed coupling on chilled water pipe/pipe break. Request was to cover repair costs.
- B. Department of Health and Human Services requested an emergency allocation and reimbursement in the amount of \$163,058.20. On March 31, 2023, Laundry Building roof was damaged due to storms/high winds. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- C. Department of Natural Resources requested a supplemental emergency allocation in the amount of \$1,454,832.99. This brings the total allocation to \$1,489,632.99. On April 26, 2023, a flood damaged various wildlife management areas in Scott, Jackson and Louisa County. Request was to cover repair costs.
- D. Department of Corrections - Mitchellville requested an emergency allocation and reimbursement in the amount of \$2,775.93. On January 21, 2025, the building was damaged due to freezing temperatures and pipe break. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- E. Department of Veterans Affairs requested an emergency allocation and reimbursement in the amount of \$182,912.74. On March 26, 2024, the Dack Building was damaged by fire and water. Request was to cover repair costs. This represents full and final payment to the Department of Administrative Services and this allocation will be closed.
- F. Iowa Communications Network requested an emergency allocation in the amount of \$73,173.75. On March 5, 2025, backup generator was damaged by winter storm and power outages. Request was to cover repair costs.
- G. Iowa Communications Network requested an emergency allocation in the amount of \$6,642.97. On April 10, 2025, a brush fire along King Avenue in Buchanan County caused damage to maintenance splice locations. Request was to cover repair costs.



- H. Iowa Communications Network requested an emergency allocation in the amount of \$26,261.52. On April 15, 2025, excessive erosion and rodent chewing caused an exposed cable along Highway 65 in Franklin County. Request was to cover repair costs.
- I. Iowa Communications Network requested an emergency allocation in the amount of \$15,551.25. On April 29, 2025, Iowa Central Community College was damaged by a vehicle strike. Request was to cover repair costs.
- J. Iowa Communications Network requested a supplemental emergency allocation in the amount of \$1,688.94. This brings the total allocation to \$14,535.94. On November 26, 2024, a cable along 285th Avenue in Winneshiek County was damaged by extensive rodent damage. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- K. Iowa PBS requested an emergency allocation in the amount of \$3,297.14. On May 20, 2025, HVAC system was damaged by lightning strike during a storm. Request was to cover repair costs.
- L. Department of Administrative Services requested an emergency allocation in the amount of \$9,860.31. On April 17, 2025, Vehicle #37 and #904 were damaged by hail. Request was to cover repair costs.
- M. Department of Administrative Services requested an emergency allocation in the amount of \$3,135.15. On May 2, 2025, Vehicle #75 was damaged by a deer. Request was to cover repair costs.
- N. Department of Administrative Services requested an emergency allocation in the amount of \$4,405.15. On May 25, 2025, Vehicle #252 was damaged by a deer. Request was to cover repair costs.
- O. Department of Administrative Services requested an emergency allocation in the amount of \$4,123.30. On June 13, 2025, Vehicle #297 was damaged by a raccoon and a deer. Request was to cover repair costs.
- P. Department of Administrative Services requested an emergency allocation in the amount of \$5,469.75. On April 18, 2025, Vehicle #351 was damaged by hail. Request was to cover repair costs.
- Q. Department of Administrative Services requested an emergency allocation in the amount of \$2,807.94. On June 6, 2025, Vehicle #414 was damaged by a raccoon. Request was to cover repair costs.
- R. Department of Administrative Services requested an emergency allocation in the amount of \$2,280.70. On March 7, 2025, Vehicle #556 was damaged by a deer. Request was to cover repair costs.
- S. Department of Administrative Services requested an emergency allocation in the amount of \$7,815.95. On June 3, 2025, Vehicle #1366 was damaged by a deer. Request was to cover repair costs.
- T. Department of Administrative Services requested an emergency allocation in the amount of \$5,749.15. On June 9, 2025, Vehicle #1735 was damaged by a deer. Request was to cover repair costs.



- U. Department of Administrative Services requested a supplemental emergency allocation in the amount of \$1,312.16. This brings the total allocation to \$11,642.23. On April 17, 2025, Vehicle #1791 was damaged by hail. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- V. Department of Administrative Services requested an emergency allocation in the amount of \$3,864.20. On April 28, 2025, Vehicle #1809 was damaged by a fallen tree. Request was to cover repair costs.
- W. Department of Administrative Services requested an emergency allocation in the amount of \$2,620.45. On May 6, 2025, Vehicle #2084 was damaged by a deer. Request was to cover repair costs.
- X. Department of Administrative Services requested an emergency allocation in the amount of \$2,495.00. On April 17, 2025, Vehicle #2358 was damaged by hail. Request was to cover repair costs.
- Y. Department of Administrative Services requested a supplemental emergency allocation in the amount of \$3,815.91. This brings the total allocation to \$10,561.11. On April 22, 2025, Vehicle #2635 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- Z. Department of Administrative Services requested a supplemental emergency allocation in the amount of \$1,566.00. This brings the total allocation to \$12,283.75. On April 18, 2025, Vehicle #105487 was damaged by hail. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.

The vote:      Ayes:              Treasurer Smith  
    Secretary Naig  
    Secretary Pate  
    Auditor Sand  
                                  Nays:              None

## 6. Payment of Cost Items

Moved by Auditor Sand and seconded by Treasurer Smith that the Council approve the following items:

- A. Department of Natural Resources .....\$14,930.00  
 On December 17, 2023, gate and trail system at Preparation Canyon State Park were damaged by trespassing vehicle. Request was to cover repair costs. This represents full and final payment, \$10,094.00 will be reverted and this allocation closed.
- B. Iowa Communications Network .....\$4,865.22  
 On April 15, 2025, excessive erosion caused exposed warning tape and shallow fiber optic cable. Request was to cover repair costs. This represents full and final payment, \$4,263.78 will be reverted and this allocation closed.
- C. Department of Administrative Services.....\$2,461.50  
 On April 18, 2025, Vehicle #62 was damaged by hail. Request was to cover repair costs. This represents full and final payment, \$239.33 will be reverted and this allocation closed.



- D. Department of Administrative Services .....\$2,801.65  
On April 17, 2025, Vehicle #367 was damaged by hail. Request was to cover repair costs. This represents full and final payment.
- E. Department of Administrative Services .....\$9,673.77  
On April 17, 2025, Vehicles #975 and #476 were damaged by hail. Request was to cover repair costs. This represents full and final payment, \$707.12 will be reverted and this allocation closed.
- F. Department of Administrative Services.....\$4,348.87  
On April 13, 2025, Vehicle #1941 was damaged by a fallen tree branch. Request was to cover repair costs. This represents full and final payment, \$1,532.51 will be reverted and this allocation closed.
- G. Department of Public Safety .....\$75,009.06  
On May 21, 2024, Adair South ISICS Communication Tower was damaged by tornado. Request was to cover repair costs. This represents partial payment.
- H. Department of Public Safety.....\$9,500.00  
On March 23, 2025, Audubon County ISICS Communications Tower was damaged by high winds and wintry mix weather event. Request was to cover repair costs. This represents full and final payment.
- I. Department of Public Safety .....\$39,642.00  
On January 26, 2025, bearcat rescue vehicle and state fire marshall divison robot were damaged by vandalism. Request was to cover repair costs. This represents full and final payment.
- J. Department of Public Safety .....\$46,680.00  
On April 16, 2024, cables and radome covers on Beaverdale ISICS Communication Tower were damaged by weather. Request was to cover repair costs. This represents full and final payment, \$3,820.00 will be reverted and this allocation closed.
- K. Department of Public Safety .....\$15,000.00  
On March 23, 2025, Lee County ISICS Communication Tower was damaged by heavy winds and winter weather mix event. Request was to cover repair costs. This represents full and final payment.
- L. Department of Public Safety.....\$15,000.00  
On March 23, 2025, Page County ISICS Communication Tower was damaged by high winds and winter weather event. Request was to cover repair costs. This represents full and final payment.
- M. Department of Public Safety .....\$15,000.00  
On March 5, 2025, Ringgold County ISICS Communication Tower was damaged by blizzard event. Request was to cover repair costs. This represents full and final payment.
- N. Department of Public Safety .....\$9,500.00  
On March 5, 2025, radome covers at Sioux, Calhoun and Cherokee ISICS Communication Towers were damaged by a winter blizzard. Request was to cover repair costs. This represents full and final payment.



- O. Department of Public Safety.....\$9,500.00  
On May 6, 2025, Springbrook ISICS Communications tower was damaged by heavy winds.  
Request was to cover repair costs. This represents full and final payment.
- P. Department of Public Safety .....\$2,866.75  
On May 31, 2024, Story County ISICS Communication Tower was damaged by a storm.  
Request was to cover repair costs. This represents full and final payment, \$9,133.25 will be  
reverted and this allocation closed.
- Q. Gray Miller Persh, LLP.....\$949.20  
2233 Wisconsin Avenue NW  
Suite 226  
Washington, D.C. 20007  
Iowa PBS
- R. Dentons Davis Brown Law Firm.....\$2,522.70  
The Davis Brown Tower  
215 10th Street, Suite 1300  
Des Moines, IA 50309  
Special Counsel Dentons Davis Brown Unclaimed Property Fund
- S. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$225.00  
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
- T. 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
- U. Patterson Law Firm L.L.P.....\$1,081.50  
729 Insurance Exchange Building  
505 Fifth Avenue  
Suite 729  
Des Moines, IA 50309-2390  
Jennifer Anderson v. Woodward Resource Center and State of Iowa and Second Injury Fund of Iowa
- V. Patterson Law Firm L.L.P.....\$32.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Patricia Brown v. Iowa Correctional Institution for Women, State of Iowa, Second Injury Fund  
of Iowa



- W. Patterson Law Firm L.L.P.....\$350.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Suite 729  
Des Moines, IA 50309-2390  
Chance, Diana v. University of Iowa and State of Iowa and Second Injury Fund of Iowa
- X. Patterson Law Firm L.L.P.....\$112.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Suite 729  
Des Moines, IA 50309-2390  
Karen Crew v. University of Iowa Hospitals and Clinics, State of Iowa, Second Injury Fund of Iowa
- Y. Patterson Law Firm L.L.P.....\$287.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Suite 729  
Des Moines, IA 50309-2390  
Brad Stevenson v. Iowa Department of Transportation, State of Iowa, Second Injury Fund of Iowa
- Z. Patterson Law Firm L.L.P.....\$160.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Suite 729  
Des Moines, IA 50309-2390  
Philip Stine v. Mt. Pleasant Correctional Facility and State of Iowa and Second Injury Fund
- AA. Patterson Law Firm L.L.P.....\$640.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Suite 729  
Des Moines, IA 50309-2390  
Douglas Stufflebeam v. University of Northern Iowa and State of Iowa and Second Injury Fund of Iowa
- BB. Patterson Law Firm L.L.P.....\$447.50  
729 Insurance Exchange Building  
505 Fifth Avenue  
Suite 729  
Des Moines, IA 50309-2390  
Azam Valipouralmasi v. University of Iowa and State of Iowa and Second Injury Fund of Iowa
- CC. Patterson Law Firm L.L.P.....\$160.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Suite 729  
Des Moines, IA 50309-2390  
Katherine Williams v. 6th Judicial District and Second Injury Fund of Iowa



The vote:	Ayes:	Treasurer Smith Secretary Naig Secretary Pate Auditor Sand
	Nays:	None

## 7. Iowa Code §7D.16

Moved by Auditor Sand and seconded by Treasurer Smith that the Council approve the following request:

- A. Mashal Husain, President of The World Food Prize®, requested permission for the World Food Prize Foundation to serve wine at the Laureate Award Ceremony reception to be held at the Iowa State Capitol on October 23, 2025, as part of its annual Laureate Award Ceremony.

The vote:	Ayes:	Treasurer Smith Secretary Naig Secretary Pate Auditor Sand
	Nays:	None

## 8. Information Items

- A. Department of Revenue's fourth quarter status update of the Litigation Expense Fund.
- B. Status of State Aid (Iowa Code 29C.20) Allocations quarterly update.

## Adjourn Meeting

Moved by Auditor Sand and seconded by Treasurer Smith that the meeting adjourns.

Respectfully submitted,

*Kristi Onstot*

Kristi Onstot





JOHN R. BENSON, HOMELAND SECURITY ADVISOR  
AND EMERGENCY MANAGEMENT DIRECTOR

July 28, 2025

LOCAL

Executive Council of Iowa

Subject: Executive Council Agenda for August 4, 2025

I respectfully request time on the Executive Council Agenda for August 4, 2025. Please find enclosed the following items for the agenda:

- Presidential Disaster Declaration -- FEMA-4870-DR  
Severe Winter Storm, 3/19/2025, declared 5/21/2025
  - Request for Approval of Disaster Aid (Iowa Code 29C.6(17)) – **New Request**
    - **Estimated total state liability of this request -- \$885,919.00**
    - Amount we will be requesting the Treasurer's Office to transfer at this time is \$440,058.00
  - Map of 4 counties impacted
- Treasurer's Office is requested to use the following accounting code for the **BY 2025** transfers:

<u>Dept</u>	<u>Fund</u>	<u>Appr</u>	<u>Unit</u>	<u>Rev Obj</u>	<u>Amount</u>	
583	0267	0000	7537	0301	\$ 8,636.00	FEMA-4870-DR
583	0267	0000	8537	0301	\$ 4,366.00	FEMA-4870-DR

- Treasurer's Office is requested to use the following accounting code for the **BY 2026** transfers:

<u>Dept</u>	<u>Fund</u>	<u>Appr</u>	<u>Unit</u>	<u>Rev Obj</u>	<u>Amount</u>	
583	0267	0000	7537	0301	\$ 423,525.00	FEMA-4870-DR
583	0267	0000	8537	0301	\$ 3,531.00	FEMA-4870-DR

I appreciate your approval of these actions, and look forward to our continued joint partnership in ensuring the citizens of our state are able to recover from disasters.

Sincerely,

**Dennis T Harper** Digitally signed by Dennis T Harper  
Date: 2025.07.28 16:54:58 -05'00'

Dennis Harper  
Recovery Division Administrator

Enclosures



Executive Council of Iowa  
Request for Approval of Disaster Aid (Iowa Code 29C.6(17))  
State / Federal Disaster Declarations

Request time to be on the Executive Council Agenda for August 4, 2025

Agency Requesting Funds	Dept 583 -- HSEMD
Contact Name	Dennis Harper
Contact Phone	515-725-9348
Contact Email	<a href="mailto:dennis.harper@iowa.gov">dennis.harper@iowa.gov</a>

Declaration Number	Presidential Disaster Declaration DR-4870
Date(s) of Event	3/19/2025
Date of Declaration	5/21/2025

Description of Event	Severe Winter Storm
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Description of Request	<p>This Executive Council request is to cover increased costs for:</p> <p>(1) pass-through match on all categories of work (emergency and permanent) for the Public Assistance Program, (2) pass-through match for the Hazard Mitigation Grant Program, and (3) extraordinary disaster costs.</p> <p>These estimates are based on projected outlays of local work completion timelines and HSEMD operations for this disaster event. HSEMD will exhaust its resources from its General Fund Appropriation and other funding sources before using Executive Council funds for extraordinary disaster costs.</p>
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ORIGINAL REQUEST		
Date of Request:	July 28, 2025	
Date of Executive Council Agenda:	August 4, 2025	
Date of Executive Council Approval:		
Previous Projections:	Total	
Federal	\$	6,863,542
State -- Executive Council	\$	885,919
Local	\$	1,255,575
Total	\$	9,005,036

STATE CASH FLOW	Actual FY #1	Projected FY #2	Projected FY #3	Projected FY #4	Projected FY #5	Projected FY #6	Projected FY #7
Fiscal Year:	2025	2026	2027	2028	2029	2030	2031
ORIGINAL REQUEST	\$ 13,002	\$ 427,056	\$ 261,497	\$ 89,291	\$ 86,766	\$ 8,307	
AMENDMENT #1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
AMENDMENT #2							
TOTALS	\$ 13,002	\$ 427,056	\$ 261,497	\$ 89,291	\$ 86,766	\$ 8,307	\$ -
							\$ 885,919

I respectfully request the Executive Council to approve these actions and to authorize HSEMD to administer the state funds without Executive Council prior approval of each expenditure. I look forward to our continued joint partnership in ensuring our citizens of our state are able to recover from disasters.

Dennis T Harper

Digitally signed by Dennis T Harper  
Date: 2025.07.28 16:55:18 -05'00'

Dennis Harper, Recovery Division Administrator

Date

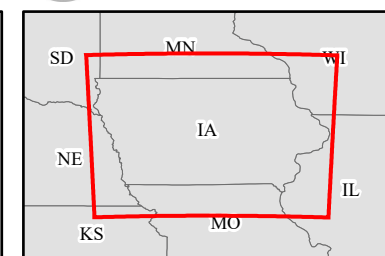
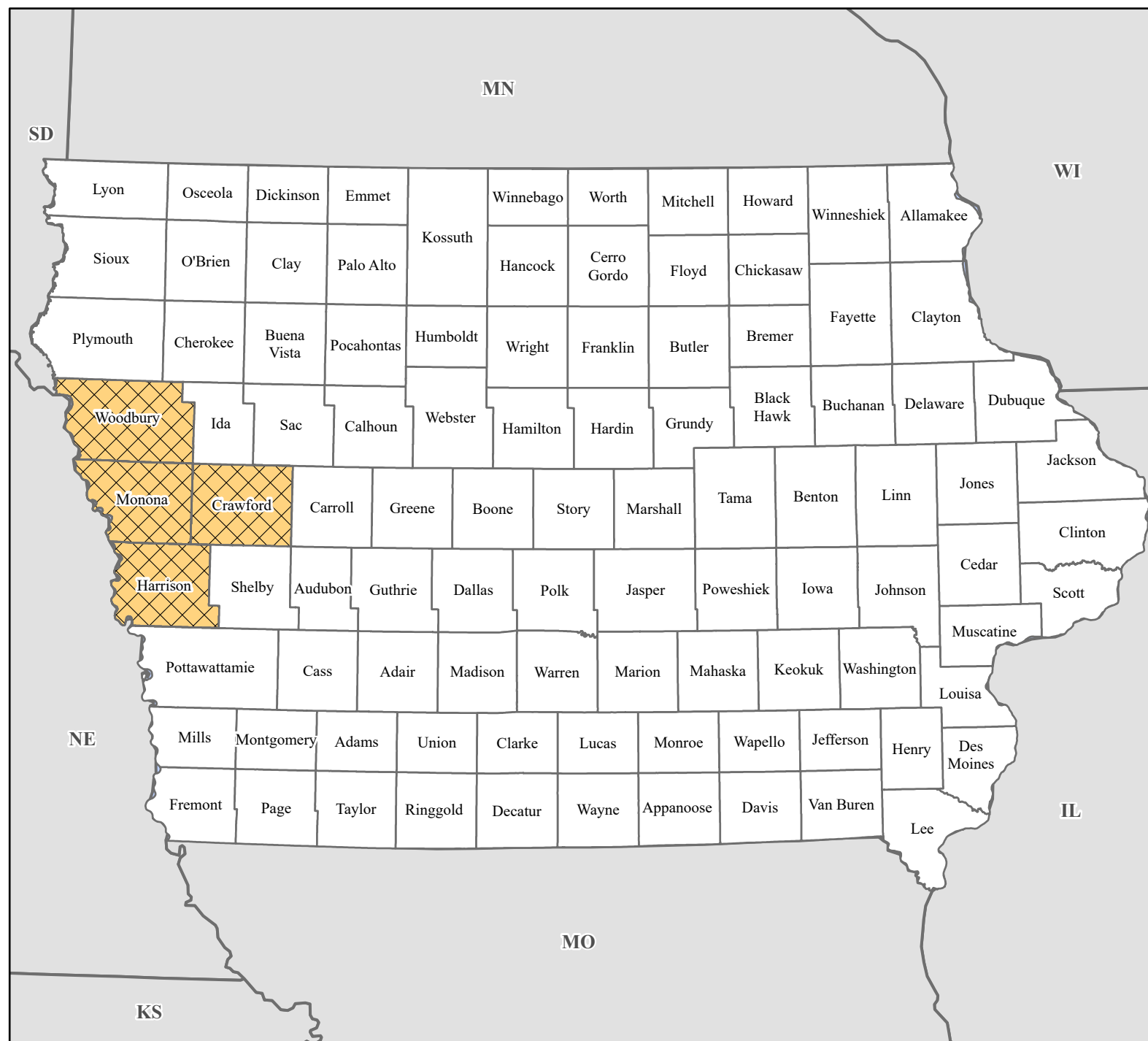


# FEMA-4870-DR, Iowa Disaster Declaration as of 05/21/2025



FEMA

Section 2, Item A.



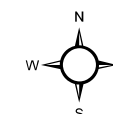
## Data Layer/Map Description:

The types of assistance that have been designated for selected areas in the State of Iowa.

Additional designations may be made at a later date if requested by the state and warranted by the results of further damage assessments.

## Designated Counties

- No Designation
- Public Assistance (Categories A - G)




0 20 40 60  
Miles

## Data Sources:

FEMA, ESRI;  
Initial Declaration: 05/21/2025  
Disaster Federal Registry Notice:  
05/21/2025  
Datum: North American 1983  
Projection: Lambert Conformal Conic





# State of Iowa

## Executive Department

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

### PROCLAMATION OF DISASTER EMERGENCY

**WHEREAS**, on March 19, 2025, and continuing thereafter, a severe winter storm system affected the state of Iowa; and

**WHEREAS**, this winter storm system caused severe weather, including damaging winds, straight-line winds, mixed precipitation, areas of heavy snowfall and blizzard conditions resulting in significant damage to public and private property, power outages resulting from downed power lines and poles and vegetative debris; and

**WHEREAS**, Crawford, Harrison, Monona, Shelby and Woodbury Counties suffered significant damage from this event; and

**WHEREAS**, reports forwarded to the Iowa Department of Homeland Security and Emergency Management by the emergency management coordinators and others in the affected counties indicate that local resources and capabilities have been exhausted and that state assistance and resources are needed to respond to and recover from the effects of this event; and

**WHEREAS**, these conditions threaten the public peace, health, and safety of citizens of the State of Iowa and have damaged and destroyed public and private property. Because of this, they provide legal justification for the issuance of a Proclamation of Disaster Emergency pursuant to Iowa Code § 29C.6 (1).

**NOW, THEREFORE, I, KIMBERLY K. REYNOLDS**, Governor of the State of Iowa, by the power and authority vested in me by the Iowa Constitution Art. IV, §§ 1, 8 and Iowa Code § 29C.6 (1), and all other applicable laws, do hereby proclaim a **STATE OF DISASTER EMERGENCY** for Crawford, Harrison, Monona, Shelby and Woodbury Counties and do hereby **ORDER** and **DIRECT** the following:

**SECTION ONE.** As required by Iowa Code § 29C.6 (1), (10) and 42 U.S.C. § 5170 in cases of Presidential Disaster Declarations, this Proclamation of Disaster Emergency activates the disaster response and recovery aspects of the Iowa Department of Homeland Security and Emergency Management's Iowa Emergency Response Plan and those additional response plans applicable to the counties affected by this disaster and authorizes the use and deployment of all available state resources, supplies, equipment, and materials as are reasonably necessary to assist those citizens located in the disaster counties.

**SECTION TWO.** I temporarily suspend the regulatory provisions of Iowa Code § 321.449 pertaining to hours of service for disaster repair crews and drivers delivering goods and services while responding to disaster sites during the duration of this disaster, subject to these conditions:

- A. Nothing contained in this proclamation shall be construed as an exemption from the controlled substances and alcohol use and testing requirements under 49 CFR Part 382, the commercial drivers' license requirements under 49 CFR Part 383, the financial



responsibility requirements of 49 CFR Part 387, or any other portion of the Code of Federal Regulations not specifically identified in this proclamation.

- B. No motor carrier operating under the terms of this proclamation shall require or allow a fatigued or ill driver to operate a motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive hours off duty before the driver is required to return to service.
- C. Upon the request of a driver, a commercial motor carrier operating under this proclamation must give a driver at least thirty-four (34) consecutive hours off when the driver has been on duty for more than seventy (70) hours during any eight consecutive days.
- D. Motor carriers that have an out-of-service order in effect may not take advantage of the relief from regulations that this declaration provides under title 49 CFR § 390.23.
- E. Upon the expiration of the effective date of this proclamation, or when a driver has been relieved of all duty and responsibility to provide direct assistance to the emergency effort, a driver that has had at least thirty-four (34) consecutive hours off duty shall be permitted to start his or her on-duty status hours and 60/70 hour clock at zero.

**SECTION THREE.** I temporarily suspend the regulatory provisions of Iowa Code §§ 321.463(6) (a) and (b) and 321E.29 and Iowa Admin. Code 761-511, to the extent those provisions restrict the movement of loads related to disaster repairs on all highways within Iowa, excluding the interstate system, and require a permit to transfer such loads, when such loads:

- F. Do not exceed a maximum of 90,000 pounds gross weight,
- G. Do not exceed by more than twelve and one-half percent (12.5%) the maximum axle weight limit determined under the non-primary highway maximum gross weight table in Iowa Code § 321.463(6) (b),
- H. Do not exceed the legal maximum axle weight limit of 20,000 pounds, and
- I. Comply with posted weight limits on roads and bridges.

**SECTION FOUR.** This state of disaster emergency shall be effective immediately, shall continue for fourteen (14) days, and shall expire on April 3, 2025, unless sooner terminated or extended in writing by me. Iowa Code § 29C.6(1).



IN TESTIMONY WHEREOF, I HAVE  
HEREUNTO SUBSCRIBED MY NAME AND  
CAUSED THE GREAT SEAL OF THE STATE  
OF IOWA TO BE AFFIXED AT DES MOINES,  
IOWA THIS TWENTIETH DAY OF MARCH  
IN THE YEAR OF OUR LORD TWO  
THOUSAND TWENTY-FIVE

*Kim Reynolds*  
KIMBERLY K. REYNOLDS  
GOVERNOR

ATTEST:

*Paul D. Pate*  
PAUL D. PATE  
SECRETARY OF STATE



BRENNA BIRD  
ATTORNEY GENERAL

LEIF OLSON  
CHIEF DEPUTY ATTORNEY GENERAL



IOWA DEPARTMENT OF JUSTICE  
OFFICE OF THE ATTORNEY GENERAL

1305 E. WALNUT ST.  
DES MOINES, IA 50319  
Main: 515-281-5164 • Direct: 515-954-9564  
Email: leif.olson@ag.iowa.gov  
www.iowaattorneygeneral.gov

July 31, 2025

Kristi Onstot  
Executive Secretary  
Executive Council  
State Capitol  
L O C A L

Re: Request for Payment of SVP Court Costs

Dear Mariah:

Our office requests Executive Council approval for payment under 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, under Iowa Code section 7D.10, the Office requests Executive Council approval of payment of \$41,707.75 for record review/report preparation (invoices enclosed).

Sincerely,

Leif Olson  
Chief Deputy Attorney General



BRENNA BIRD  
ATTORNEY GENERAL

LEIF OLSON  
CHIEF DEPUTY ATTORNEY GENERAL



IOWA DEPARTMENT OF JUSTICE  
OFFICE OF THE ATTORNEY GENERAL

1305 E. WALNUT ST.  
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July 31, 2025

Kristi Onstot  
Executive Secretary  
Executive Council  
State Capitol  
L O C A L

Re: Request for Special Counsel - Patterson Law Firm

Dear Kristi:

Our office requests appointment of outside counsel under Iowa Code section 13.3(1) in *McBride, Darrell v. Newton Correctional Facility and State of Iowa and Second Injury Fund of Iowa*, a case filed by a state employee. Because the resolution of this claim may turn on whether the State of Iowa or the Second Injury Fund must pay workers' compensation benefits, our office cannot represent both defendants.

In order to avoid a conflict of interest, the Civil Litigation Division has contacted Ryan Clark of the Patterson Law Firm, L.L.P., 505 5th Avenue, Suite 729, Des Moines, Iowa 50309-2390, to represent the Second Injury Fund. Mr. Clark has agreed to represent the Second Injury Fund at the rate of \$175.00 per hour. Our office will represent the State of Iowa.

Accordingly, we request Executive Council approval to retain Mr. Clark to represent the Second Injury Fund in this case.

Sincerely,

Leif Olson  
Chief Deputy Attorney General



BRENNA BIRD  
ATTORNEY GENERAL

LEIF A. OLSON  
CHIEF DEPUTY ATTORNEY GENERAL



1305 E. WALNUT ST.  
DES MOINES, IA 50319  
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IOWA DEPARTMENT OF JUSTICE  
OFFICE OF THE ATTORNEY GENERAL

July 16, 2025

Kristi Onstot, Executive Secretary  
Executive Council  
State Capitol

Re: Retention of special counsel—refund aggregator investigation and  
litigation

Dear Kristi:

Our office requests authorization under Iowa Code section 13.7(1) to retain the law firm of Barbour Hurst as special counsel. Special counsel will provide legal services and representation to Iowa with respect to investigations into and possible litigation of retention of moneys due to the State by refund aggregators affiliated with pharmacy benefit managers that due business with the State. We also recommend under Iowa Code section 23B that the firm be retained on a contingent-fee basis.

The Attorney General has determined that it is necessary and appropriate to retain private special counsel to assist her office because this investigation and potential litigation will involve complex claims that demand time and labor beyond that available from the office's current staff. Potential litigation may include, among other things, discovery of potentially millions of pages of physical documents and their electronic equivalents; numerous depositions of fact witnesses and corporate representatives; extensive motion practice to ensure compliance with the State's discovery requests; motion practice on the scope of the State's obligations to respond to discovery requests; identifying, retaining, and obtaining reports from financial and economic experts; working with experts to analyze and attack opposing expert reports; and extensive motion practice on both procedural and substantive questions.

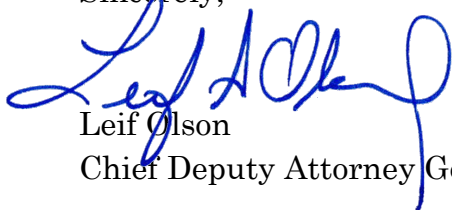


Kristi Onstot, Executive Secretary  
Executive Council  
Retention of refund-aggregator special counsel  
July 16, 2025  
Page 2 of 2

We recommend Barbour Hurst because of its experience successfully conducting similar investigations and litigating similar cases for other clients, including state governments, under both state and federal law. Barbour Hurst's experience would allow it to begin serving as special counsel with little delay and would enable the State to begin proceeding toward a resolution with the least possible time required to arrange the preliminary matters necessary to undertake an investigation and potential case of this scope. Barbour Hurst has previously served as special counsel to the State and is familiar with the portions of the Iowa Code governing its obligations.

Because of the commitment of resources required to effectively conduct the investigation and potential litigation, we have determined that contingent representation is both cost effective and in the public interest. We have further determined that a procurement process is not feasible under these unique circumstances. We therefore recommend approval of Barbour Hurst as special counsel in an relationship to be governed by a contingent fee agreement under Iowa Code section 23B.3.

Sincerely,



Leif Olson

Chief Deputy Attorney General