



EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Tuesday, September 03, 2024 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, Auditor of State Rob Sand, Treasurer of State Roby Smith, and Secretary of Agriculture Mike Naig were present.

1. Approval of Minutes

Moved by Secretary Pate and Secretary Naig that the Council approve the minutes from the Executive Council meeting held on August 19, 2024.

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

2. Iowa Code §7D.10

Moved by Secretary Naig and seconded by Treasurer Smith that the Executive Council approve the following request:

- A. Attorney General's office requested Payment for Expenses under Iowa Code §7D.10 in the amount of \$42,468.25.

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

3. Outside Counsel

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

- A. The Department of Justice, Attorney General's Office, requested retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Kathrine Williams v. 6th Judicial District Department, State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.
Attorney: Ryan Clark
505 5th Avenue
Suite 729
Des Moines, IA 50309
Rate: \$160.00 Per Hour

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

4. Special Counsel

Moved by Secretary Naig and seconded by Secretary Pate that the Council approve the following requests:

- A. The Department of Justice, Attorney General's Office, requested the retention of special counsel pursuant to Iowa Code §13.7(1), to represent the Treasurer of State to retain Foster Garvey, P.C., to advise his office on matters related to the revision of the Treasurer's investment policy under Iowa Code §§ 12.8, 12B.10, and 12B.10B. Special counsel would be paid from the Treasurer's funds.

Attorney: Foster Garvey, P.C.
1111 3rd Ave 30th Fl
Seattle, WA 98101
Rate: \$610/hour for principals and of-counsel lawyers, \$540/hour for associate lawyers and \$210/hour for paralegals.

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

5. Emergency Allocations

Moved by Secretary Pate and seconded by Auditor Sand that the Council approve the following emergency allocations:

- A. Board of Regents - University of Iowa requested a supplemental emergency allocation in the amount of \$23.34. This brings the total allocation to \$145,130.38. On May 7, 2023, hail caused roof damage to the Oakdale Biology Greenhouse. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- B. Department of Natural Resources requested an emergency allocation in the amount of \$47,088.89. On May 24, 2024, a flood caused damages to the Swan Refuge at Red Rock Wildlife Management Are. Request was to cover repair costs.
- C. Department of Natural Resources requested an emergency allocation in the amount of \$12,000.00. On July 1, 2024, a fallen tree caused damages to the pit latrine at Stephens State Forest. Request was to cover repair costs.
- D. Iowa Communications Network requested an emergency allocation in the amount of \$9,648.89. On May 21, 2024, severe weather events exposed cables in Polk, Adams, Wapello and Black Hawk County. Request was to cover repair costs.
- E. Iowa Communications Network requested an emergency allocation in the amount of \$26,957.09. On June 12, 2024, a cable was damaged due to excessive erosion along Highway 34 west of Loomis Avenue in Adams County. Request was to cover repair costs.
- F. Iowa Communications Network requested an emergency allocation in the amount of \$97,622.95. On June 22, 2024, a cable was damaged due to excessive erosion along Highway 60 at Otter Creek in Osceola County. Request was to cover repair costs.
- G. Iowa Communications Network requested an emergency allocation in the amount of \$62,558.89. On June 22, 2024, a cable was damaged due to excessive erosion and flooding of Floyd River along 330th Street in Sioux County. Request was to cover repair costs.
- H. Iowa Communications Network requested an emergency allocation in the amount of \$17,549.42. On July 8, 2024, an exposed cable was damaged due to flooding along Highway 75 south of 150th Street in Plymouth County. Request was to cover repair costs.
- I. Department of Administrative Services requested a supplemental emergency allocation in the amount of \$1,210.73. This brings the total allocation to \$6,143.42. On March 29, 2024, Vehicle #1546 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- J. Department of Administrative Services requested a supplemental emergency allocation in the amount of \$552.60. This brings the total allocation to \$6,144.80. On May 21, 2024, Vehicle #105539 was damaged by a fallen tree. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- K. Department of Administrative Services requested a supplemental emergency allocation in the amount of \$373.52. This brings the total allocation to \$5,645.76. On May 28, 2024, Vehicle #478 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.

- L. Department of Administrative Services requested an emergency allocation in the amount of \$4,242.14. On July 14, 2024, Vehicle #204 was damaged by a racoon. Request was to cover repair costs.
- M. Department of Administrative Services requested an emergency allocation in the amount of \$7,898.66. On July 29, 2024, Vehicle #1782 was damaged by a storm. Request was to cover repair costs.
- N. Department of Administrative Services requested an emergency allocation in the amount of \$5,604.98. On August 1, 2024, Vehicle #1038 was damaged by a deer. Request was to cover repair costs.
- O. Department of Public Safety requested an emergency allocation in the amount of \$9,500.00. On November 28, 2023, a random cover was damaged on the Albia ISICS Communication Tower. Request was to cover repair costs.
- P. Department of Public Safety requested an emergency allocation in the amount of \$41,063.47. On June 21, 2024, flooding caused water damage to Post 6. Request was to cover repair costs.

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

6. Payment of Cost Items

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

- A. Board of Regents University of Iowa.....\$9,149.40
 On October 25, 2021, HVAC failure caused water damage to generators at the Seamans Center. Request was to cover repair costs. This represents full and final payment.
- B. Board of Regents University of Iowa.....\$40,923.47
 On March 22, 2022, a malfunctioning water fountain caused water damage to the College of Medicine Administration Building. Request was to cover repair costs. This represents full and final payment.
- C. Board of Regents University of Iowa.....\$21,763.00
 On May 26, 2022, a water leak caused damages to Carver River Research and Education Facility. Request was to cover repair costs. This represents full and final payment.
- D. Board of Regents University of Iowa\$44,025.40
 On June 11, 2022, a failed chilled water pressure pump caused water damage to the Iowa Advanced Technology Laboratories. Request was to cover repair costs. This represents full and final payment.
- E. Board of Regents University of Iowa.....\$10,167.00
 On October 5, 2023, an exterior window was damaged at the Dental Science Building. Request was to cover repair costs. This represents full and final payment.

- F. Iowa State Fair.....\$8,430.00
On December 24, 2023, a vehicle crashed and caused damages to a flag pole, gate and landscaping. Request was to cover repair costs. This represents full and final payment, \$3,969.00 will be reverted and this allocation closed.
- G. Department of Administrative Services.....\$2,004.15
On April 23, 2024, Vehicle #153 was damaged by a deer. Request was to cover repair costs. This represents full and final payment, \$8.00 will be reverted and this allocation closed.
- H. Department of Administrative Services\$6,772.48
On May 20, 2024, Vehicle #1451 was damaged by hail. Request was to cover repair costs. This represents full and final payment, \$151.80 will be reverted and this allocation closed.
- I. Department of Administrative Services.....\$6,880.67
On May 21, 2024, Vehicle #1294 was damaged by a storm. Request was to cover repair costs. This represents full and final payment, \$77.00 will be reverted and this allocation closed.
- J. Department of Administrative Services.....\$2,301.50
On May 21, 2024, Vehicle #112 was damaged by hail. Request was to cover repair costs. This represents full and final payment.
- K. Department of Administrative Services.....\$3,396.40
On May 23, 2024, Vehicle #395 was damaged by a storm. Request was to cover repair costs. This represents full and final payment, \$267.90 will be reverted and this allocation closed.
- L. Department of Administrative Services.....\$4,357.50
On May 24, 2024, Vehicle #204 was damaged by hail. Request was to cover repair costs. This represents full and final payment, \$58.00 will be reverted and this allocation closed.
- M. Department of Administrative Services.....\$3,713.00
On May 24, 2024, Vehicle #464 was damaged by hail. Request was to cover repair costs. This represents full and final payment, \$20.50 will be reverted and this allocation closed.
- N. Department of Administrative Services.....\$3,909.11
On May 24, 2024, Vehicle #105217 was damaged by a storm. Request was to cover repair costs. This represents full and final payment, \$21.60 will be reverted and this allocation closed.
- O. Department of Administrative Services.....\$2,349.95
On June 1, 2024, Vehicle #99 was damaged by a raccoon. Request was to cover repair costs. This represents full and final payment.
- P. Department of Administrative Services.....\$8,748.55
On June 12, 2024, Vehicle #1685 was damaged by hail. Request was to cover repair costs. This represents full and final payment, \$608.70 will be reverted and this allocation closed.
- Q. Department of Administrative Services.....\$3,787.75
On June 25, 2024, Vehicle #479 was damaged by hail. Request was to cover repair costs. This represents full and final payment, \$321.25 will be reverted and this allocation closed.
- R. Department of Public Safety.....\$157,908.44
On December 25, 2022, a burst pipe caused water damage at Post 8. Request was to cover repair costs. This represents full and final payment, \$20,404.89 will be reverted and this allocation closed.

- S. Richard J. Bennett, Sr.....\$3,450.00
 PO Box 65666
 West Des Moines, IA 50265
Special Counsel for the Criminal Appeals Division of the Iowa Attorney General’s Office
- 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. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$762.50
 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
- V. Patterson Law Firm L.L.P.....\$208.00
 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
- W. Patterson Law Firm L.L.P.....\$176.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Diane Chase v. Woodward Resource Center and State of Iowa and Second Injury Fund of Iowa
- X. Patterson Law Firm L.L.P.....\$256.00
 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
- Y. Patterson Law Firm L.L.P.....\$80.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Sam Ferrell and Iowa State Penitentiary and State of Iowa and Second Injury Fund of Iowa
- Z. Patterson Law Firm L.L.P.....\$608.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Sharon Jackson v. University of Iowa Hospitals and Clinics and State of Iowa and Second Injury Fund of Iowa

- AA. Patterson Law Firm L.L.P.....\$320.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Sharon Jackson v. University of Iowa Hospitals and Clinics and State of Iowa and Second Injury Fund of Iowa
- BB. Patterson Law Firm L.L.P.....\$48.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
John Larson v. Newton Correctional Facility and Clinics and State of Iowa and Second Injury Fund of Iowa
- CC. Patterson Law Firm L.L.P.....\$638.00
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
- DD. Patterson Law Firm L.L.P.....\$432.00
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
- EE. Patterson Law Firm L.L.P.....\$416.00
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
- FF. Patterson Law Firm L.L.P.....\$457.00
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

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

7. Adjourn Meeting

Moved by Auditor Sand and seconded by Secretary Naig that the meeting adjourns.

Respectfully submitted,

Victoria Newton

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