EXECUTIVE COUNCIL OF IOWA AGENDA

State Capitol - Robert D. Ray Conference Room (G09) 10:00 a.m.

FEBRUARY 9, 2015

1. Approval of minutes of meeting held January 26, 2015

2. Personal Appearance –

   A. Patrick J. Hall, Recovery Division Administrator will be present to request to additional funding on Presidential Disaster Declarations.
   TAB # 1

3. Outside Counsel – Page 1
   TAB # 2

4. Litigation Expense Fund – Page 1
   TAB # 3

5. Payment of Cost Items – Pages 1 - 2

3. Outside Counsel

A. The Department of Justice, Attorney General's office requests retention of outside counsel to represent the Iowa Racing and Gaming Commission (IRGC) in a bankruptcy proceeding filed by Caesar's Entertainment Operating Group, Inc.

Firm: Ciardi, Ciardi & Astin
Attorney: Albert Ciardi III
2005 Market Street, Suite 1930
Philadelphia, PA 19103
Rate: $485.00 per hour
TAB # 2

4. Litigation Expense Fund

A. Request from the Attorney General's office on behalf of the Department of Revenue to expend $40,000.00 from the Litigation Expense Fund during the third quarter of the 2015 fiscal year.
TAB # 3

5. Payment of Cost Items

A. Barnes & Thornburg LLP..... $776.00
One North Wacker Drive, Suite 4400
Chicago, IL 60606
Peregrine Financial Group (PFG) Bankruptcy

Jeffrey S. Thompson, Solicitor General, has reviewed invoices and recommends payment. Payment will be made by UNI.

B. Davis Brown Law Firm.....$1,148.10
The Davis Brown Tower
215 10th Street, Suite 1300
Des Moines, IA 50309-3993
Unclaimed Property Probate Matters & 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.

C. Davis, Brown, Koehn, Shors & Roberts, P.C.....$278.50
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

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Office of the Chief Information Officer.

D. Patterson Law Firm L.L.P..... $1,014.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
John Martin v. Iowa State Penitentiary and State of Iowa and the Second Injury Fund of Iowa

E. Patterson Law Firm L.L.P..... $1,368.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Douglas Thomas Lewis v. Department of Public Defense, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed these invoices and recommends payments.

F. Huber, Book, Cortese & Lanz, P.L.L.C. $24.20
2700 Westown Parkway, Suite 170
West Des Moines, IA 50266-1411
Pam O'Brien v. Iowa Attorney General, State of Iowa and Second Injury Fund

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment.

Fields of Opportunities

STATE OF IOWA

TERRY E. BRANSTAD
GOVERNOR

KIM REYNOLDS
LT. GOVERNOR

IOWA HOMELAND SECURITY AND
EMERGENCY MANAGEMENT DEPARTMENT
MARK J. SCHOUTEN, HOMELAND SECURITY ADVISOR
AND EMERGENCY MANAGEMENT DIRECTOR

February 5, 2015

Ms. GeorgAnna Madsen, Executive Secretary
Executive Council of Iowa

LOCAL

Subject: Executive Council Agenda for February 9, 2015

Dear Ms. Madsen:

I respectfully request time on the Executive Council Agenda for February 9, 2015. I have been requested to appear to provide an update on all 18 open disasters. Additionally, please find enclosed the following items for the agenda:

- Presidential Disaster Declaration DR-1737 (Severe Winter Storms, 12/10/2007 to 12/11/2007)
  - Request to Release Disaster Aid (Iowa Code 29C.6(17)) – Disaster closed
    - Allocation $4,569,933.00; Expended $4,105,915.09; Balance $464,017.91
    - **Motion to release $464,017.91 allocated amount that was not transferred yet**

- Presidential Disaster Declaration DR-1877 (Severe Winter Storms, 12/23/2009 to 12/27/2009)
  - Request to Return and Release Disaster Aid (Iowa Code 29C.6(17)) – Disaster closed
    - Allocation $1,815,200.00; Expended $979,790.54; Balance $835,409.46
    - **Motion to return $12,429.46 allocated amount that was transferred but not needed**
    - **Motion to release $822,980.00 allocated amount that was not transferred yet**

- Presidential Disaster Declaration DR-1880 (Severe Winter Storms, 1/19/2010 to 3/2/2010)
  - Request to Release Disaster Aid (Iowa Code 29C.6(17)) – Disaster is still open
    - Allocation $20,626,781.00; Anticipated Expenditures $16,626,781.00; Balance $4,000,000.00
    - **Motion to release $4,000,000.00 allocated amount that was not transferred yet**

- Presidential Disaster Declaration DR-1930 (Severe Storms, Tornadoes, Floods, 6/1/2010 to 8/31/2010)
  - Request to Release Disaster Aid (Iowa Code 29C.6(17)) – Disaster is still open
    - Allocation $11,012,620.00; Anticipated Expenditures $10,012,620.00; Balance $1,000,000.00
    - **Motion to release $1,000,000.00 allocated amount that was not transferred yet**

- Presidential Disaster Declaration DR-1998 (Severe Floods, 5/25/2011 to 8/1/2011)
  - Request to Release Disaster Aid (Iowa Code 29C.6(17)) – Disaster is still open
    - Allocation $9,620,888.00; Anticipated Expenditures $8,620,888.00; Balance $1,000,000.00
    - **Motion to release $1,000,000.00 allocated amount that was not transferred yet**

- Presidential Disaster Declaration DR-4119 (Severe Storms, Straight-line Winds, Floods, 4/17/2013 to 4/30/2013)
  - Request for Approval of Disaster Aid (Iowa Code 29C.6(17)) – Amendment request
    - Estimated total state liability is $1,339,904 ($1,189,904 already allocated)
    - **Motion to approve and allocate an additional $150,000 (no transfers at this time)**

- Presidential Disaster Declaration DR-4135 (Severe Storms, Tornadoes, Floods, 6/21/2013 to 6/28/2013)
  - Request for Approval of Disaster Aid (Iowa Code 29C.6(17)) – Amendment request
    - Estimated total state liability is $877,378 ($777,378 already allocated)
    - **Motion to approve and allocate an additional $100,000 (no transfers at this time)**

- Presidential Disaster Declaration DR-4181 (Severe Storms, Tornadoes, SL Winds, Floods, 6/3/2014 to 6/4/2014)
  - Request for Approval of Disaster Aid (Iowa Code 29C.6(17)) – Amendment request
    - Estimated total state liability is $1,636,486 ($1,305,267 already allocated)
    - **Motion to approve and allocate an additional $331,219 (no transfers at this time)**

- Presidential Disaster Declaration DR-4184 (Severe Storms, Tornadoes, SL Winds, Floods, 6/14/2014 to 6/23/2014)
  - Request for Approval of Disaster Aid (Iowa Code 29C.6(17)) – Amendment request
    - Estimated total state liability is $4,056,752 ($2,156,752 already allocated)
    - **Motion to approve and allocate an additional $1,900,000 (no transfers at this time)**

- Presidential Disaster Declaration DR-4187 (Severe Storms, Tornadoes, SL Winds, Floods, 6/26/2014 to 7/7/2014)
  - Request for Approval of Disaster Aid (Iowa Code 29C.6(17)) – Amendment request
    - Estimated total state liability is $4,194,138 ($2,294,138 already allocated)
    - **Motion to approve and allocate an additional $1,900,000 (no transfers at this time)**

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,

Patrick J. Hall
Recovery Division Administrator

Enclosures

Iowa Homeland Security and Emergency Management Department, Recovery Division
Request to Release Funds
February 9, 2015

Disaster	DR-1737	Incident Period	12/10/2007 to 12/11/2007
Event Type	Severe Winter Storms	Date Declared	1/4/2008
Public Assistance	$ 36,778,635	Closed Date	1/9/2013
Hazard Mitigation	$ 6,107,277	Closed Date	4/10/2014
Total	$ 42,885,912	Executive Council Authorized/Allocated	$ 4,569,933
Request for Motion by the Executive Council	Executive Council Allocation		$ 4,569,933.00
	Executive Council Funds Expended		- 4,105,915.09
	Balance of Executive Council Funds not used		$ 464,017.91
	Motion for Approval		
	Amount transferred – to be returned		$ 0.00
	Amount not transferred – to be released		$ 464,017.91

Disaster	DR-1877	Incident Period	12/23/2009 to 12/27/2009
Event Type	Severe Winter Storms	Date Declared	2/25/2010
Public Assistance	$ 7,921,016	Closed Date	7/17/2014
Hazard Mitigation	$ 1,985,073	Closed Date	10/9/2014
Total	$ 9,906,089	Executive Council Authorized/Allocated	$ 1,815,200
Request for Motion by the Executive Council	Executive Council Allocation		$ 1,815,200.00
	Executive Council Funds Expended		- 979,790.54
	Balance of Executive Council Funds not used		$ 835,409.46
	Motion for Approval		
	Amount transferred – to be returned		$ 12,429.46
	Amount not transferred – to be released		$ 822,980.00

Disaster	DR-1880	Incident Period	1/19/2010
Event Type	Severe Winter Storms	Date Declared	3/2/2010
Public Assistance	$ 116,083,067	Est. Completion Date	12/31/2015
Hazard Mitigation	$ 32,045,108	Est. Completion Date	3/5/2017
Total	$ 148,128,175	Executive Council Authorized/Allocated	$ 20,626,781
Request for Motion by the Executive Council	Executive Council Allocation		$ 20,626,781.00
	Executive Council Funds Expended & Anticipated to be Expended		- 16,626,781.00
	Balance of Executive Council Funds not used		$ 4,000,000.00
	Motion for Approval		
	Amount transferred – to be returned		$ 0.00
	Amount not transferred – to be released		$ 4,000,000.00

Iowa Homeland Security and Emergency Management Department, Recovery Division
Request to Release Funds
February 9, 2015

Disaster	DR-1930	Incident Period	6/1/2010 to 8/31/2010
Event Type	Severe Storms, Tornadoes, Flood	Date Declared	7/29/2010
Public Assistance	$ 65,423,432	Est. Completion Date	12/30/2015
Hazard Mitigation	$ 23,041,105	Est. Completion Date	2/5/2017
Total	$ 88,464,537	Executive Council Authorized/Allocated	$ 11,012,620

Request for Motion by the Executive Council	
Executive Council Allocation	$ 11,012,620.00
Executive Council Funds Expended & Anticipated to be Expended	- 10,012,620.00
Balance of Executive Council Funds not used	$ 1,000,000.00
Motion for Approval	
Amount transferred – to be returned	$ 0.00
Amount not transferred – to be released	$ 1,000,000.00

Disaster	DR-1998	Incident Period	5/25/2011 to 8/1/2011
Event Type	Severe Flooding	Date Declared	6/27/2011
Public Assistance	$ 49,607,733	Est. Completion Date	6/26/2015
Hazard Mitigation	$ 17,153,170	Est. Completion Date	4/7/2017
Total	$ 66,760,903	Executive Council Authorized/Allocated	$ 9,620,888

Request for Motion by the Executive Council	
Executive Council Allocation	$ 9,620,888.00
Executive Council Funds Expended & Anticipated to be Expended	- 8,620,888.00
Balance of Executive Council Funds not used	$ 1,000,000.00
Motion for Approval	
Amount transferred – to be returned	$ 0.00
Amount not transferred – to be released	$ 1,000,000.00

I respectfully request the Executive Council to approve the above actions.

Patrick J. Hall, Administrator, Recovery Division

2/5/15
Date

Department 583 -- HSEMD

Executive Council of Iowa
Amendment 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 Monday, February 9, 2015

Agency Requesting Funds	Department 583 -- HSEMD
Contact Name	Patrick J. Hall
Contact Phone	515-979-1835
Contact Email	patrick.hall@iowa.gov
Declaration Number	DR 4119
Date(s) of Event	4/17/2013 to 4/30/2013
Date of Declaration	5/31/2013
Description of Event	Severe Storms, Straight-line Winds, Flooding
Description of Request	This Executive Council request is an amendment to cover additional costs for: (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. 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.

AUTHORIZED BY THE EXECUTIVE COUNCIL:

Date of Original E.C. Approval: August 5, 2013
EC Job Number: DR4119

Previous Projections:	**Total**
Federal	$ 8,399,227
State -- Executive Council	$ 1,189,904
Local	$ 1,543,530
Total	$ 11,132,661

AMENDMENT -- REQUEST FOR EXECUTIVE COUNCIL APPROVAL:

Date of Request: February 5, 2015
Date of Executive Council Agenda: February 9, 2015
Date of Executive Council Approval:

Additional Estimated Costs:	**Total**
Federal	$ 1,044,796
State -- Executive Council	$ 150,000
Local	$ 281,647
Total	$ 1,476,443

TOTALS:	
Federal	$ 9,444,023
State -- Executive Council	$ 1,339,904
Local	$ 1,825,177
Total	$ 12,609,104

STATE CASH FLOW Fiscal Year:	2014	Projected 2015	Projected 2016	Projected 2017	Projected 2018	Projected 2019
AUTHORIZED	$ 455,431	$ 544,308	$ 169,458	$ 20,707		
AMENDMENT REQUEST		$ (77,464)	$ 139,848	$ 87,616		$ -
NEW TOTALS	**$ 455,431**	**$ 466,844**	**$ 309,306**	**$ 108,323**	**$ -**	**$ -**
						$ 1,339,904

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.

Patrick J. Hall, Administrator, Recovery Division — Date 2/5/15

Executive Council of Iowa
Amendment 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 Monday, February 9, 2015

Agency Requesting Funds	Department 583 -- HSEMD
Contact Name	Patrick J. Hall
Contact Phone	515-979-1835
Contact Email	patrick.hall@iowa.gov
Declaration Number	DR 4135
Date(s) of Event	6/21/2013 to 6/28/2013
Date of Declaration	7/31/2013
Description of Event	Severe Storms, Tornadoes, Flooding
Description of Request	This Executive Council request is an amendment to cover additional costs for: (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. 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.

AUTHORIZED BY THE EXECUTIVE COUNCIL:

Date of Original E.C. Approval: November 12, 2013
EC Job Number: DR4135

Previous Projections:	**Total**
Federal	$ 4,717,950
State -- Executive Council	$ 777,378
Local	$ 910,158
Total	$ 6,405,486

AMENDMENT -- REQUEST FOR EXECUTIVE COUNCIL APPROVAL:

Date of Request: February 5, 2015
Date of Executive Council Agenda: February 9, 2015
Date of Executive Council Approval:

Additional Estimated Costs:	**Total**
Federal	$ 430,464
State -- Executive Council	$ 100,000
Local	$ 84,760
Total	$ 615,224

TOTALS:	
Federal	$ 5,148,414
State -- Executive Council	$ 877,378
Local	$ 994,918
Total	$ 7,020,710

STATE CASH FLOW Fiscal Year:	2014	Projected 2015	Projected 2016	Projected 2017	Projected 2018	Projected 2019
AUTHORIZED	$ 299,932	$ 255,188	$ 155,356	$ 66,902		
AMENDMENT REQUEST		$ (6,879)	$ 19,507	$ 87,372		$ -
NEW TOTALS	**$ 299,932**	**$ 248,309**	**$ 174,863**	**$ 154,274**	**$ -**	**$ -**
						$ 877,378

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.

Patrick J. Hall, Administrator, Recovery Division — Date: 1/5/15

Department 583 -- HSEMD

Executive Council of Iowa
Amendment 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 Monday, February 9, 2015

Agency Requesting Funds	Department 583 -- HSEMD
Contact Name	Patrick J. Hall
Contact Phone	515-979-1835
Contact Email	patrick.hall@iowa.gov
Declaration Number	DR 4181
Date(s) of Event	6/3/2014 to 6/4/2014
Date of Declaration	7/14/2014
Description of Event	Severe Storms, Tornadoes, Straight-line Winds, and Flooding
Description of Request	This Executive Council request is an amendment to cover additional costs for: (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. 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.

AUTHORIZED BY THE EXECUTIVE COUNCIL:

Date of Original E.C. Approval: August 18, 2014
EC Job Number: DR4181

Previous Projections:	**Total**
Federal	$ 5,881,413
State -- Executive Council	$ 1,305,267
Local	$ 1,091,229
Total	$ 8,277,909

AMENDMENT -- REQUEST FOR EXECUTIVE COUNCIL APPROVAL:

Date of Request: February 5, 2015
Date of Executive Council Agenda: February 9, 2015
Date of Executive Council Approval:

Additional Estimated Costs:	**Total**
Federal	$ 1,747,529
State -- Executive Council	$ 331,219
Local	$ 382,833
Total	$ 2,461,581

TOTALS:	
Federal	$ 7,628,942
State -- Executive Council	$ 1,636,486
Local	$ 1,474,062
Total	$ 10,739,490

STATE CASH FLOW Fiscal Year:	2014	Projected 2015	Projected 2016	Projected 2017	Projected 2018	Projected 2019
AUTHORIZED	$ 40,920	$ 506,777	$ 364,649	$ 303,392	$ 89,529	
AMENDMENT REQUEST		$ (211,440)	$ 548,773	$ (63,830)	$ 57,716	$ -
NEW TOTALS	$ 40,920	$ 295,337	$ 913,422	$ 239,562	$ 147,245	$ -
						$ 1,636,486

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.

Patrick J. Hall, Administrator, Recovery Division — Date 2/5/15

Executive Council of Iowa
Amendment 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 Monday, February 9, 2015

Agency Requesting Funds	Department 583 – HSEMD
Contact Name	Patrick J. Hall
Contact Phone	515-979-1835
Contact Email	patrick.hall@iowa.gov
Declaration Number	DR 4184
Date(s) of Event	6/14/2014 to 6/23/2014
Date of Declaration	7/24/2014
Description of Event	Severe Storms, Tornadoes, Straight-line Winds, and Flooding
Description of Request	This Executive Council request is an amendment to cover additional costs for: (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. 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.

AUTHORIZED BY THE EXECUTIVE COUNCIL:

Date of Original E.C. Approval: August 18, 2014
EC Job Number: DR4184

Previous Projections:	**Total**
Federal	$ 12,209,988
State -- Executive Council	$ 2,156,752
Local	$ 2,268,237
Total	$ 16,634,977

AMENDMENT -- REQUEST FOR EXECUTIVE COUNCIL APPROVAL:

Date of Request: February 5, 2015
Date of Executive Council Agenda: February 9, 2015
Date of Executive Council Approval:

Additional Estimated Costs:	**Total**
Federal	$ 10,780,011
State -- Executive Council	$ 1,900,000
Local	$ 2,172,239
Total	$ 14,852,250

TOTALS:	
Federal	$ 22,989,999
State -- Executive Council	$ 4,056,752
Local	$ 4,440,476
Total	$ 31,487,227

STATE CASH FLOW Fiscal Year:	2014	Projected 2015	Projected 2016	Projected 2017	Projected 2018	Projected 2019
AUTHORIZED	$ 74,824	$ 999,806	$ 457,933	$ 493,796	$ 130,393	
AMENDMENT REQUEST		$ (274,840)	$ 1,448,092	$ 306,307	$ 420,441	$ -
NEW TOTALS	**$ 74,824**	**$ 724,966**	**$ 1,906,025**	**$ 800,103**	**$ 550,834**	$ -
						$ 4,056,752

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.

Patrick J. Hall, Administrator, Recovery Division — Date 2/5/15

Executive Council of Iowa
Amendment 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 Monday, February 9, 2015

Agency Requesting Funds	Department 583 -- HSEMD
Contact Name	Patrick J. Hall
Contact Phone	515-979-1835
Contact Email	patrick.hall@iowa.gov
Declaration Number	DR 4187
Date(s) of Event	6/26/2014 to 7/7/2014
Date of Declaration	8/5/2014
Description of Event	Severe Storms, Tornadoes, Straight-line Winds, and Flooding
Description of Request	This Executive Council request is an amendment to cover additional costs for: (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. 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.

AUTHORIZED BY THE EXECUTIVE COUNCIL:

Date of Original E.C. Approval:	August 18, 2014
EC Job Number:	DR4187

Previous Projections:	**Total**
Federal	$ 13,720,896
State -- Executive Council	$ 2,294,138
Local	$ 2,538,355
Total	$ 18,553,389

AMENDMENT -- REQUEST FOR EXECUTIVE COUNCIL APPROVAL:

Date of Request:	February 5, 2015
Date of Executive Council Agenda:	February 9, 2015
Date of Executive Council Approval:	

Additional Estimated Costs:	**Total**
Federal	$ 9,401,639
State -- Executive Council	$ 1,900,000
Local	$ 1,927,894
Total	$ 13,229,533

TOTALS:	
Federal	$ 23,122,535
State -- Executive Council	$ 4,194,138
Local	$ 4,466,249
Total	$ 31,782,922

STATE CASH FLOW Fiscal Year:	2014	Projected 2015	Projected 2016	Projected 2017	Projected 2018	Projected 2019
AUTHORIZED		$ 1,128,778	$ 476,686	$ 551,355	$ 137,319	
AMENDMENT REQUEST		$ (135,358)	$ 1,199,656	$ 415,261	$ 420,441	$ -
NEW TOTALS	$ -	$ 993,420	$ 1,676,342	$ 966,616	$ 557,760	$ -
						$ 4,194,138

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.

Patrick J. Hall, Administrator, Recovery Division — Date 2/5/15

TAB # 2

THOMAS J. MILLER
ATTORNEY GENERAL

JEFFREY S. THOMPSON
SOLICITOR GENERAL

Iowa Department of Justice

ADDRESS REPLY TO:
1305 E. Walnut Street
Des Moines, IA 50319
www.IowaAttorneyGeneral.org

Telephone: 515/281-4419
Fax: 515/281-4209
Jeffrey.Thompson@iowa.gov

February 3, 2015

GeorgAnna Madsen
Executive Secretary
Executive Council
State Capitol
L O C A L

Re: Request for Special Counsel

Dear GeorgAnna:

Our office is requesting Executive Counsel approval to retain Special counsel to represent the Iowa Racing and Gaming Commission (IRGC) in a bankruptcy proceeding currently pending in the Northern District of Illinois. During the last legislative session the Legislature enacted Iowa Code sections 99D.9A and 99D.9B. Those new legislative enactments allowed for the two greyhound racing facilities to cease greyhound racing subject to certain conditions. One of the greyhound racing facilities is part of Caesar's Entertainment Operating Group, Inc., which is the subject of the above-noted bankruptcy proceedings. Of significance to the IRGC and the State of Iowa is the previously mentioned legislative enactment's requirement that, as a condition of continued licensure, the facility either pay legislatively mandated amounts into a statutorily created "live racing cessation fee" or continue with live greyhound racing. Iowa Code section 99D.9A. With respect to the "live racing cessation fee" the Legislature created this fund in the State Treasury "under the control of the state racing and gaming commission." Iowa Code section 99D.9B. Should the greyhound track in Council Bluffs wish to continue gaming operations without live greyhound racing, they will need to pay into the above-noted cessation fund. Many tens of millions of dollars are to be paid into the cessation fund over the course of the time period set forth by statute. Because the fund is created in the State Treasury and is under the control of the IRGC, the amounts related to the cessation fund have been noted as a claim in the bankruptcy proceedings. In fact, the State is listed as the third largest unsecured creditor in these bankruptcy proceedings. In order for the Legislature, the State Treasurer and the IRGC to protect their interests with respect to this State's statutory enactments and regulatory authority, it is necessary to monitor these bankruptcy proceedings and proceed as necessary to protect those interests. It is unlikely that there will be a need for the State to be actively involved in any extensive litigation in these proceedings.

This bankruptcy was filed in two separate jurisdictions at the outset. One was the above noted Illinois case filed voluntarily by the debtor. The other was filed in Delaware by adverse creditors. Both bankruptcies noted the State of Iowa as a significant unsecured creditor based on the obligations related to greyhound racing. Because of the swift nature of proceeding related to jurisdiction as well as multiple contacts from various interested parties to the IRGC relating to its role in those proceedings, the IRGC was in need of immediate assistance from experienced legal counsel to protect the State's interests. The law firm of Ciardi, Ciardi & Astin previously provided outstanding and cost effective representation to the State recently with respect to adverse proceedings filed in a Pennsylvania Bankruptcy Court and was again contacted.

Based on the State's past experience, well-respected bankruptcy specialist Albert Ciardi III was again contacted. Mr. Ciardi agreed to represent the IRGC's and the State's interests in this current matter. Because of the extremely expedited initial processes and jurisdictional wrangling, the IRGC was unable to obtain Executive Counsel approval prior to having Mr. Ciardi appear on its behalf. Mr. Ciardi filed an appearance on behalf of the State in the Bankruptcy proceedings but to date has limited his role to monitoring the process and advising the Commission on how to respond to various requests and inquiries from the various other parties. It is anticipated that a monitoring and advisory role will remain the primary role of Mr. Ciardi in these current proceedings.

Mr. Ciardi practices with the law firm of Ciardi, Ciardi & Astin in that firm's Philadelphia office, 2005 Market Street, Suite 1930 Philadelphia, PA 19103. His hourly rate is $485 per hour. The rate for associate attorneys and junior partners range from $250 to $385 per hour. Legal assistant time is charged at the rate of $120 to $180 per hour. All of the rates are extremely competitive for the market involved especially considering Mr. Ciardi's bankruptcy expertise. Accordingly, our office requests Executive Council approval to retain Albert Ciardi III and the law firm of Ciardi, Ciardi & Astin to represent the IRGC in the bankruptcy proceedings at the rates noted above. It is also requested that approval be given to pay for Mr. Ciardi's fees for work that he has performed to date. Because the role of the State and the IRGC in these proceedings comes about as the result of recent legislative enactments and because the Treasurer and the IRGC are essentially only conduits for the legislatively created funds at issue in these proceedings, it is respectfully requested that monies from the unappropriated general fund be used for these legal expenses.

Sincerely,

JEFFREY S. THOMPSON
Solicitor General

TAB # 3

THOMAS J. MILLER
ATTORNEY GENERAL

JEFFREY S. THOMPSON
SOLICITOR GENERAL

Iowa Department of Justice

ADDRESS REPLY TO:
1305 E. Walnut Street
Des Moines, IA 50319
www.IowaAttorneyGeneral.org

Telephone: 515/281-4419
Fax: 515/281-4209
Jeffrey.Thompson@iowa.gov

January 30, 2015

GeorgAnna Madsen
Executive Secretary Executive
Council State Capitol
L-O-C-A-L

Re: Litigation Expense Fund

Dear GeorgAnna:

On behalf of the Department of Revenue, Assistant Attorney General Jim Miller requests authorization to expend monies from the Litigation Expense Fund pursuant to Iowa Code section 441.73 in the third quarter of the 2015 fiscal year. The Department started the 2015 fiscal year with a balance of $689,968.70 which included a carryover of $469,968.70 and a transfer of $220,000 into the Fund as authorized by the Executive Council in June 2014. From July 1 through December 31, 2014, the Department expended $56,181.74.

Litigation expenses in the third quarter of fiscal year 2015 will involve the ongoing Windstream appeals and NIPCO and the pipeline appeal involving Buckeye Transportation. Litigation fees and expenses are estimated not to exceed $40,000.

The Department, therefore, requests authorization to expend $40,000 from the Litigation Expense Fund in order to cover estimated litigation fees and expenses for the third quarter of the 2015 fiscal year.

Sincerely,

JEFFREY S. THOMPSON
Solicitor General

cc: Courtney M. Kay-Decker