

# EXECUTIVE COUNCIL OF IOWA AGENDA

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

**JUNE 15, 2015**

1. Approval of minutes of meeting held June 1, 2015
2. Personal Appearance –
  - A. Patrick Hall, Recovery Division Administrator, Department of Public Defense, Iowa Homeland Security and Emergency Management Division will be present to request the following:
    1. Approval to reimburse the Pottawattamie County Emergency Management Agency (Emergency Response Team) pursuant to Iowa Administrative Code 605-12.5(4) in regard to the tornado that struck the town of Lake City in Calhoun County Iowa.  
TAB # 1
    2. Emergency Allocation in the amount of \$1,100,000.00 pursuant to Proclamation of Disaster Emergency (Highly pathogenic Avian Influenza) in the State and to transfer funds for SFY 2015 and SFY 2016  
TAB # 2
3. Litigation Expense Fund – Page 1  
TAB # 3
4. Payment of Cost Items – Pages 1 - 2
5. The World Food Prize - Senate File 478 Page 2  
TAB # 4

3. **Litigation Expense Fund**

- A. Request from the Attorney Generals' office on behalf of the Department of Revenue to transfer funds to the Litigation Expense Fund for FY 2016 in the amount of \$145,000.00

TAB # 3

4. **Payment of Cost Items**

- A. Department of Administrative Services .....\$5,725.01  
On September 11, 2014 a lightning strike at Ankeny Labs damaged a chilled water pump VFD. Request is to cover repair costs.

The State Auditor has reviewed this request and recommends payment. This represents full and final payment and allocation will be closed.

- B. Department of Natural Resources..... \$5,497.49  
Drainage taxes for the following counties:

Clay	\$1,096.56
Clinton	\$ 277.00
Emmet	\$1,550.00
Louisa	\$ 258.00
Monona	\$ 461.00
Muscatine	\$ 110.00
Pocahontas	\$ 83.93
Worth	\$1,661.00

David Dorff, Assistant Attorney General, has reviewed this request and recommends payment.

- C. Wandro & Associates, P.C. ....\$3,125.00  
2501 Grand Avenue, Suite B  
Des Moines, IA 50312  
Unclaimed Property Probate Matters

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

D. Hudson, Mallaney, Shindler & Anderson, P.C..... \$667.50  
5015 Grand Ridge Drive, Suite 100  
West Des Moines, IA 50265  
Peregrine Financial Group (PFG) Bankruptcy

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

E. Gray Miller Persh, LLP.....\$1,131.00  
1200 New Hampshire Ave., N.W.  
Washington, D.C. 20036  
Iowa Public Television

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

**5. World Food Prize Senate File 478**

A. Mr. Kenneth M. Quinn, Ambassador (ret.) President of The World Food Prize requests permission for the Foundation to serve wine at the Laureate Award Ceremony reception/dinner to be held at the Iowa State Capitol on October 15, 2015.

TAB # 4



EXECUTIVE COUNCIL  
2015 JUN 11 AM 11:38

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

June 11, 2015

Ms. GeorgAnna Madsen, Executive Secretary  
Executive Council of Iowa  
LOCAL

Subject: Executive Council Agenda for June 15, 2015

Dear Ms. Madsen:

I respectfully request time on the Executive Council Agenda for Monday, June 15, 2015. Please find enclosed the following item for the agenda:

- Response and recovery deployment for a tornado that struck the town of Lake City in Calhoun County, Iowa – May 10, 2015 incident
  - Request for Approval to reimburse the Pottawattamie County Emergency Management Agency (Emergency Response Team) pursuant to Iowa Administrative Code 605—12.5(4) – **new request**
    - Total state liability is \$9,209.33
    - Amount requested to transfer at this time is \$9,209.33

I appreciate your approval of this action, and look forward to our continued joint partnership in protecting the citizens of our state.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick J. Hall".

Patrick J. Hall  
Recovery Division Administrator

Enclosures



COPY

Iowa Homeland Security and Emergency Management  
Specialty Team Activation Order  
Saw Team  
May 11, 2015

WHEREAS, on May 11, 2015, and under the authority of Iowa Code § 29C.6, Governor Terry E. Branstad proclaimed a State of Disaster Emergency arising out of the following severe weather event: a tornado struck the town of Lake City in Calhoun County, Iowa.

WHEREAS, Steve O'Connor, the Calhoun Emergency Manager has indicated that local resources have been disrupted and overburdened because of this event and that the services of an Iowa homeland security and emergency response team are needed to assist local authorities; and

WHEREAS, the Saw Team is an Iowa homeland security and emergency response team as defined by Iowa Code § 29C.8 (f) (1) and 605 Iowa Administrative Code Chapter 12, has been approved and recognized by Iowa HSEMD as capable of providing services during an event of this nature, and has entered into a Memorandum of Agreement with HSEMD to do so.

THEREFORE, IT IS HEREBY ORDERED under the authority of Iowa Code § 29C.8 (f) that the Saw Team is activated to assist in the response to and recovery from this event and that it is specifically deployed and authorized to perform the following mission: to assist with debris clearance to public roads.

Dated May 11, 2015, at Johnston, Iowa.



Mark Schouten, Director  
Iowa Homeland Security and  
Emergency Management Department

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State of Iowa  
Executive Department

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

PROCLAMATION OF DISASTER EMERGENCY

WHEREAS, on May 10, 2015, a severe storm system affected the state of Iowa; and

WHEREAS, this storm system caused severe weather, including thunderstorms and tornadoes resulting in significant damage to public and private property and large debris piles; and

WHEREAS, Calhoun County suffered significant damage from this event; and

WHEREAS, reports forwarded to the Iowa Homeland Security and Emergency Management Department by the Calhoun County emergency management coordinator and others in the affected county 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, reports forwarded to the Iowa Homeland Security and Emergency Management Department by the Calhoun County emergency management coordinator and other officials in the affected county indicate that state individual assistance pursuant to Iowa Code § 29C.20A and 441 Iowa Admin. Code 58.2 (1) is needed to assist certain individuals and families adversely affected by the disaster who otherwise cannot be helped by other means of financial assistance and for whom federal assistance under the Stafford Act is either not available or does not adequately meet the needs of the citizens in the disaster area; and

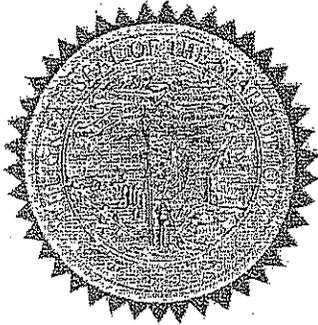
WHEREAS, these conditions threaten the public peace, health, and safety of citizens of the State of Iowa and have damaged and destroyed public and private property. Because of this, they provide legal justification for the issuance of a Proclamation of a State of Disaster Emergency pursuant to Iowa Code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

NOW, THEREFORE, I, TERRY E. BRANSTAD, 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 Calhoun County 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 aspect of the Iowa Homeland Security and Emergency Management Department's Iowa Emergency Response Plan and those additional response plans applicable to the county 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 county.

SECTION TWO. I authorize the Iowa Department of Human Services under the terms and conditions as allowed by Iowa law to render individual disaster assistance to eligible residents of Calhoun County who are affected by this disaster. Iowa Code § 29C.20A and 441 Iowa Admin. Code 58.2 (1).

SECTION THREE. This state of disaster emergency shall be effective on May 11, 2015, shall continue for thirty (30) days, and shall expire on June 10, 2015, 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 eleventh day of May in the year of our Lord Two Thousand Fifteen.

TERRY E. BRANSTAD  
GOVERNOR

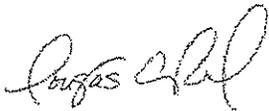
ATTEST:

PAUL D. PATE  
SECRETARY OF STATE

# EMERGENCY RESPONSE COST SUMMARY

Iowa Disaster Saw Team  
CITY of LAKE CITY - May 10 /11, 2015

1	PERSONNEL COSTS	5/10-11/2015	4,497.50
		5/11/2015	978.75
		TOTAL PERSONNEL	\$5,476.25
2	EQUIPMENT USE	5/10-11/2015	3,233.08
		TOTAL EQUIPMENT	\$3,233.08
3	DAMAGED EQUIPMENT REPAIR	5/10/2015	500.00
		TOTAL REPAIR/REPLACE	\$500.00
		TOTAL MISSION COSTS	\$9,209.33



D Reed, Emergency Management Director

6/5/2015

Date



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

June 11, 2015

LOCAL

Ms. GeorgAnna Madsen, Executive Secretary  
Executive Council of Iowa

Subject: Executive Council Agenda for June 15, 2015  
Proclamation of Disaster Emergency dated May 1, 2015; extended on May 29, 2015

Dear Ms. Madsen:

In partnership with the Iowa Department of Agriculture and Land Stewardship, the Iowa Department of Homeland Security and Emergency Management respectfully requests time on the Executive Council Agenda for June 15, 2015. Please find enclosed the following item for the agenda:

- Proclamation of Disaster Emergency  
(Highly pathogenic avian influenza in the State of Iowa beginning on April 13, 2015)
  - Request for Approval of Disaster Aid (Iowa Code 29C.6 and 29C.20) – new request
    - Estimated total state liability is \$1,100,000
    - Amount requested to be transferred
      - SFY2015 at this time -- \$200,000
      - SFY2016 at July 1, 2015 -- \$900,000
  - Map of counties impacted

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

Sincerely,



Patrick J. Hall  
Administrator, Recovery Division

Enclosures

**Executive Council of Iowa  
Request for Approval of Disaster Aid (Iowa Code 29C.6 and 29C.20)  
Proclamation of Disaster Emergency**

Request time to be on the Executive Council Agenda for June 15, 2015

Agency Requesting Funds: Dept 583 -- HSEMD  
 Contact Name: Patrick J. Hall  
 Contact Phone: 515-979-1835  
 Contact Email: patrick.hall@iowa.gov

Date(s) of Event: April 13, 2015, and continuing

Date of Proclamation: May 1, 2015; extended on May 29, 2015

Description of Event: Highly Pathogenic Avian Influenza in the State of Iowa

This Executive Council request is for an initial amount to cover:

- (1) Extraordinary disaster costs for response activities

**Description of Request**

The estimate is based on projected outlays of work completion timelines and HSEMD and IDALS operations for this disaster event. Financial resources will be exhausted before using Executive Council funds for extraordinary disaster costs.

ORIGINAL REQUEST	
Date of Request:	June 11, 2015
Date of Executive Council Agenda:	June 15, 2015
Date of Executive Council Approval:	_____
Projected Costs:	
Federal	Total unknown
State -- Executive Council*	\$ 1,100,000.00
Local	\$ -
Total	\$ 1,100,000.00

\* This amount will be adjusted once we receive federal funds from USDA.

STATE CASH FLOW	Projected FY #1 2015	Projected FY #2 2016	Projected FY #3 2017	Projected FY #4 2018	Projected FY #5 2019	Projected FY #6 2020
Fiscal Year:						
ORIGINAL REQUEST	\$ 200,000	\$ 900,000				
AMENDMENT #1						
AMENDMENT #2						
<b>TOTALS</b>	<b>\$ 200,000.00</b>	<b>\$ 900,000.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
						<b>\$ 1,100,000.00</b>

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 state is able to recover from disasters.

  
 Patrick J. Hall, Recovery Division Administrator

Date: 6/11/15





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

June 9, 2015

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

EXECUTIVE COUNCIL  
2015 JUN 10 PM 3:26

Re: Litigation Expense Fund

Dear GeorgAnna:

The Department of Revenue requests that the Executive Council transfer funds to the Litigation Expense Fund to pay anticipated litigation expenses for the next fiscal year. The Litigation Expense Fund is "created in the state treasury" and "shall be used for the payment of litigation expenses incurred by the state to defend property valuations established by the director of revenue . . . ." Iowa Code section 441.73(1). The Executive Council "shall transfer for the fiscal year beginning July 1, 1992, and each fiscal year thereafter, from funds established in sections 425.1 and 426.1 an amount necessary to pay litigation expenses." Iowa Code section 441.73(4). The funds referenced in these sections are: the Homestead Tax Credit Fund (§ 425.1) with an unspecified standing appropriation and the Agricultural Land Credit Fund (§ 426.1) with a standing appropriation of \$39,100,000 the first \$10,000,000 of which is transferred into the Family Farm Tax Credit Fund.

The balance in the Fund is capped by statute. "The amount in the fund for each fiscal year shall not exceed seven hundred thousand dollars. The executive council shall determine annually the proportionate amounts to be transferred from the two separate funds. At any time when no litigation is pending or in progress the balance in the litigation expense fund shall not exceed one hundred thousand dollars." Iowa Code § 441.23(4).

The Director of the Department of Revenue requests that a total of \$145,000 be transferred into the Litigation Expense Fund for FY '16 from these sources on the following basis:

77% - (\$111,650) - Homestead Tax Credit Fund under § 425.1; and  
23% - (\$ 33,350) - Agricultural Land Credit Fund under § 426.1.

GeorgAnna Madsen

Page 2

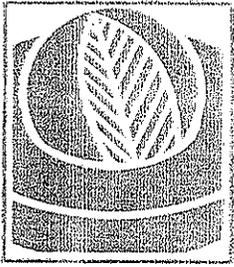
The amount of the request is based on estimates from outside counsel of the potential litigation costs during the 2016 fiscal year and estimated litigation costs attributed to the Attorney General's office. Litigation anticipated in the 2016 fiscal year will include active appeals by three telephone companies and an interstate pipeline company challenging their property valuations for the 2013 and 2014 assessment years.

Generally, a transfer of funds at the start of each fiscal year is offset by any amount carried over from the previous fiscal year. The Department estimates a carryover from the 2015 fiscal year of approximately \$555,000 in unused funds. The transfer of an additional \$145,000 will bring the total to \$700,000 and will replenish the Litigation Expense Fund sufficiently to cover estimated litigation expenses without exceeding the maximum statutory cap of \$700,000. See Iowa Code § 441.73(4).

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey S. Thompson', with a long horizontal line extending to the right.

JEFFREY S. THOMPSON  
Solicitor General



# THE WORLD FOOD PRIZE

TAB # 4

EXECUTIVE COUNCIL  
2015 JUN -5 AM 9:28

## Foundation:

**Dr. Norman E. Borlaug**  
1914-2009

**John Ruan**  
1914-2010

**John Ruan III**  
Chairman

**Amb. Kenneth M. Quinn**  
President

## Council of Advisors

Hon. George Bush

Hon. Jimmy Carter

H.E. Joaquim Chissano

**Margaret Catley-Carlson**  
Chair, Global Crop Diversity Trust

**Dr. Zhangliang Chen**  
Vice-Governor  
Guangxi Province, China

**A.S. Clausi**  
Vice President of Research  
General Foods (Retired)

**Dr. W. Ronnie Coffman**  
Director, International Programs  
College of Agriculture and  
Life Sciences, Cornell University

**Sir Gordon Conway**  
Professor of Intl. Development  
Imperial College London

**Dr. Louise Fresco**  
Professor, University of Amsterdam

**Michael Gartner**  
Pulitzer Prize Winner

**Dr. Steven Leath**  
President, Iowa State University

**M. Peter McPherson**  
President, APLU

**Cynthia Milligan**  
Dean Emeritus  
College of Business Administration,  
University of Nebraska-Lincoln

**H.E. Roberto Rodrigues**  
Former Minister of Agriculture  
Brazil

**Yohei Sasakawa**  
Chairman, The Nippon Foundation

**Dr. M.S. Swaminathan**  
Chairman  
Laureate Selection Committee

Date: May 28, 2015

Memorandum to: Executive Council, State of Iowa

The Honorable Terry Branstad, Governor of Iowa  
The Honorable Kim Reynolds, Lt. Governor of Iowa  
Paul Pate, Secretary of State  
Michael Fitzgerald, Treasurer of State  
Bill Northey, Secretary of Agriculture  
Mary Mosiman, Auditor of State

Subject: Permission to serve wine at World Food Prize Ceremony/Dinner at the Iowa State Capitol on October 15, 2015

In accordance with action by the state legislature, this memorandum is to officially request permission for the World Food Prize Foundation to serve wine at the reception/dinner which it will host at the Iowa State Capitol of October 15, 2015, as part of its annual Laureate Award Ceremony.

Ever since permission was first given in 2000 for the World Food Prize Foundation to hold its Laureate Award Ceremony and Dinner at the State Capitol, the legislature has each year voted a joint resolution authorizing the serving of wine at the reception / dinner immediately following the ceremony in the Rotunda (with the exception of 2001 and 2002 when the ceremony took place at other locations, due to restoration work being done on the Capitol building).

During the 2009 legislative session, the legislature included language in a bill (Senate File 478) indicating that henceforth this decision should be directed to the Executive Council. That bill became law on July 1, 2009. In accordance with that legislation, we are now forwarding this request to serve wine at our 2015 Ceremony on October 15, to the Executive Council for its consideration and, hopefully, its approval.

Respectfully submitted,



Ambassador Kenneth M. Quinn (ret.)

President