

# **EXECUTIVE COUNCIL OF IOWA AGENDA**

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

**NOVEMBER 2, 2015**

1. Approval of minutes of meeting held October 19, 2015
2. Litigation Expense Fund – Page 1  
TAB 1
3. Emergency Allocations – Page 1  
TAB 2
4. Payment of Cost Items – Pages 1 - 2

**2. Litigation Expense Fund**

- A. Request from the Attorney General's office on behalf of the Department of Revenue to expend \$100,000.00 from the Litigation Expense Fund during the second quarter of the 2016 fiscal year.

TAB # 1

**3. Emergency Allocations**

- A. Emergency Allocation in the amount of \$1,843,737.00 pursuant to Presidential Disaster Declaration DR-4234 (Iowa Code 7D.29) for Iowa Homeland Security and Emergency Management with regard to damages in the State between June 20, 2015 and June 25, 2015 and to transfer funds in the amount of \$590,611.00 at this time.

TAB # 2

**4. Payment of Cost Items**

- A. Department of Natural Resources..... \$119,484.66  
Drainage taxes for the following counties:

Allamakee	\$ 590.34
Buena Vista	\$ 387.00
Calhoun	\$ 4,876.00
Des Moines	\$12,034.00
Dickinson	\$ 2,571.00
Franklin	\$ 718.16
Fremont	\$ 7,894.49
Hancock	\$15,049.00
Harrison	\$ 922.84
Howard	\$ 43.00
Humboldt	\$ 48.59
Kossuth	\$ 22.48
Louisa	\$12,550.00
Mills	\$ 2,681.86
Monona	\$ 917.00
Muscatine	\$ 2,599.00
Osceola	\$ 668.16
Palo Alto	\$41,078.02
Pocahontas	\$ 41.15
Pottawattamie	\$ 4,079.00
Van Buren	\$ 206.12
Winnebago	\$ 986.23
Woodbury	\$ 7,051.34
Wright	\$ 1,469.88

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

- B. Nyemaster Goode P.C.....\$2,713.53  
700 Walnut Street  
Suite 1600  
Des Moines, IA 50309  
Collections of Accounts in Court

Jeffrey Thompson, Solicitor General, has reviewed these invoices and recommends payment. Payment will be made from the funds of the Economic Development Authority.

- C. Patterson Law Firm L.L.P..... \$198.50  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Sandra Anderson v. Iowa Department of Corrections, State of Iowa and the Second Injury Fund of Iowa

- D. Patterson Law Firm L.L.P..... \$965.76  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Eugene Grandstaff v. Department of Commerce Alcoholic Beverages Division State of Iowa and Second Injury Fund of Iowa

- E. Patterson Law Firm L.L.P..... \$84.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Mary E. Lowe v. Judicial Branch – Juvenile Court Services and State of Iowa and Second Injury Fund of Iowa

- F. Patterson Law Firm L.L.P..... \$348.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Laurie Sue Cook v. Iowa State University, State of Iowa and Second Injury Fund of Iowa,

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

EXECUTIVE COUNCIL

2015 OCT 29 AM 7:40

THOMAS J. MILLER  
ATTORNEY GENERAL



ADDRESS REPLY TO:  
1305 E. Walnut Street  
Des Moines, IA 50319  
[www.IowaAttorneyGeneral.org](http://www.IowaAttorneyGeneral.org)

Telephone: 515/281-4419  
Fax: 515/281-4209  
[Jeffrey.Thompson@iowa.gov](mailto:Jeffrey.Thompson@iowa.gov)

JEFFREY S. THOMPSON  
SOLICITOR GENERAL

Iowa Department of Justice

October 28, 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 second quarter of the 2016 fiscal year. The Department started the 2016 fiscal year with a balance of \$696,854.70 which included a carryover of \$551,854.70 and a transfer of \$145,000 into the Fund as authorized by the Executive Council in June 2015.

From July 1 through September 30, 2015, the Department expended \$52,308.64.

Litigation expenses in the second quarter of fiscal year 2016 will primarily involve the Buckeye Transportation appeal. Litigation fees and expenses are estimated not to exceed \$100,000.

The Department, therefore, requests authorization to expend \$100,000 from the Litigation Expense Fund in order to cover estimated litigation fees and expenses for the second quarter of the 2016 fiscal year.

Sincerely,

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

JEFFREY S. THOMPSON  
Solicitor General

cc: Courtney M. Kay-Decker



MEMBERS OF COUNCIL

HON. TERRY E. BRANSTAD  
GOVERNOR

HON. PAUL D. PATE  
SECRETARY OF STATE

HON. MARY MOSIMAN  
AUDITOR OF STATE

HON. MICHAEL L. FITZGERALD  
TREASURER OF STATE

HON. WILLIAM H. NORTHEY  
SECRETARY OF AGRICULTURE

## Executive Council of Iowa

CAPITOL BUILDING  
DES MOINES, IOWA 50319  
PHONE: 515 281-5368  
FAX: 515 281-7562

October 19, 2015

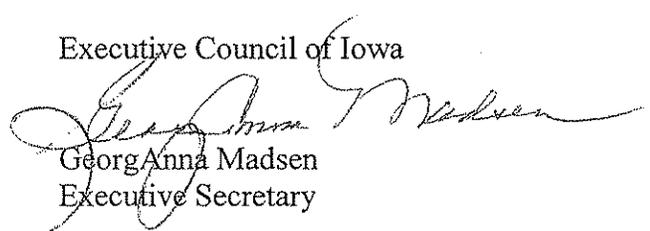
Mr. Glen Dickinson, Director  
Legislative Services Agency  
State Capitol  
L-O-C-A-L

Dear Mr. Dickinson:

Pursuant to Iowa Code section 7D.29, I am writing to notify the Legislative Services Agency that the Iowa Homeland Security and Emergency Management Department has requested funds in the amount of \$1,843,737.00 to cover costs with regard to Presidential Disaster Declaration DR-4234. This declaration is the results of tornadoes, severe storms, straight-line winds and flooding in the State between June 20, 2015 and June 25, 2015. Enclosed is information from the Department that was provided to the Executive Council in support of this request at today's meeting.

Executive Council will not vote to approve or deny the request for two weeks following issuance of this notice. We therefore anticipate this matter being placed on the November 2nd, 2015 Agenda for consideration

Executive Council of Iowa



Georg Anna Madsen  
Executive Secretary

cc: Patrick J. Hall, Emergency Management

Enclosures



EXECUTIVE COUNCIL  
2015 OCT 15 AM 11:34

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

October 15, 2015

LOCAL

Ms. GeorgAnna Madsen, Executive Secretary  
Executive Council of Iowa

Subject: Executive Council Agenda for October 26, 2015  
Presidential Disaster Declaration DR-4234

Dear Ms. Madsen:

I respectfully request time on the Executive Council Agenda for October 26, 2015. Pursuant to Iowa Code Section 7D.29, please notify the Legislative Services Agency. Please find enclosed the following item for the agenda:

- Presidential Disaster Declaration DR-4234  
(Severe Storms, Tornadoes, Straight-line Winds, and Flooding, 6/20/2015 to 6/25/2015)
  - Request for Approval of Disaster Aid (Iowa Code 29C.6(17)) – new request
    - Estimated total state liability is \$1,843,737
    - Amount we will be requesting the Treasurer's Office to transfer at this time is \$590,611
  - Map of 19 counties impacted

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  
Administrator, Recovery Division

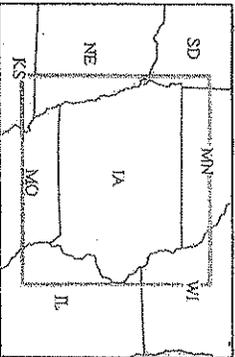
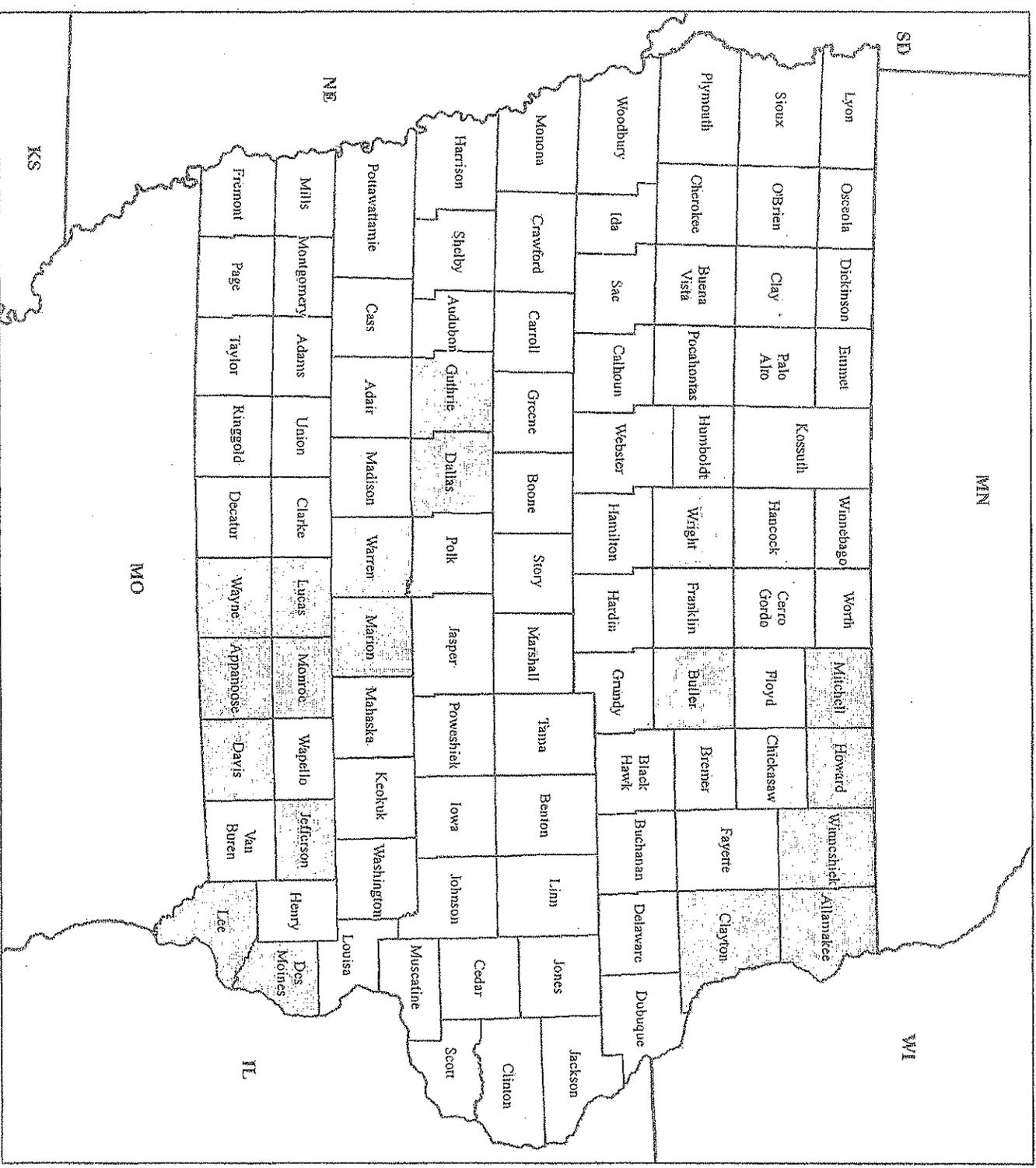
Enclosures



# FEMA-4234-DR, Iowa Disaster Declaration as of 08/03/2015



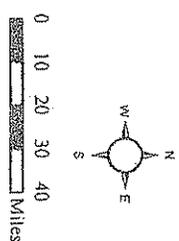
FEMA



**Data Layer/Map Description:**  
The types of assistance that have been designated for selected areas in the State of Iowa.

All areas in the State of Iowa are eligible to apply for assistance under the Hazard Mitigation Grant Program.

- Designated Counties**
- No Designation
  - Public Assistance



**Data Sources:**  
FEMA, ESRI;  
Initial Declaration: 07/31/2015  
Disaster Federal Registry Notice: 07/31/2015  
Datum: North American 1983  
Projection: Lambert Conformal Conic