

EXECUTIVE COUNCIL OF IOWA AGENDA

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

MARCH 28, 2016

1. Approval of minutes of meeting held March 14, 2016
2. Personal Appearance –
 - A. Marvin Shultz, Department of Human Services will be present to request Resolution of Funds per Governor's Proclamation of a State of Disaster Emergency for Clinton County pursuant to House File 896 Section 1 in the amount of \$20,000.00.
TAB # 1
3. Leases – Page 1
4. Emergency Allocations – Page 2
5. Payment of Cost Items – Pages 3 - 5
6. Information Items – Page 6

3. Leases

- A. Lease between DNR and American River Transportation Co
Date of Lease: Five Years ending February 28, 2021
Legal Description: A parcel of the bed of the Mississippi River including approximately 1600 feet of frontage by 210 feet of depth located at Mississippi River Mile 576.50 located in Section 5, Township 88 North, Range 3 East of the 5th P.M., Dubuque County, Iowa.
Annual Fee: \$10,684.80
- B. Lease between DNR and MidAmerican Energy Company
Date of Lease: Five Years ending July 3, 2020
Legal Description: A parcel of land on that property of Crabb Island situated in Section 10, Township 75 North, Range 2 West of the 5th P.M., Louisa County, Iowa, said parcel of land being more particularly described as follows:
- Beginning at a point on the west line of the described property, said Point of Beginning being approximately 1,560 feet north and 2,244 feet east of the apparent southwest corner of said Section 10; thence northerly along the west line a distance of 210 feet, more or less; thence N.-83° 09' 36"W., a distance of 505 feet, more or less, to a point on the east line of said Crabb Island; thence southerly downstream along the meander line of the Mississippi River, a distance of 410 feet, more or less, to a point, said point being 400 feet nominal distance south of the north line of the parcel of land herein described; thence S. 83° 09' 36"W., a distance of 520 feet, more or less, to the west line of Crabb Island; thence north to the Point of Beginning, a distance of 200 feet, more or less.
Annual Fee: \$1,500.00
- C. Lease between DNR and Isle of Capri Bettendorf, L.C.
Date of Lease: Three Years ending November 30, 2018
Legal Description: A portion of the bed of the Mississippi River approximately 207 feet in length and approximately 180 feet in width located in Section 33, Township 78N, Range 4E, Scott County, Iowa, at Mississippi River Mile 486.2.
Annual Fee: \$2,645.00

David Dorff, Assistant Attorney General, has reviewed the above leases and approved the leases as to form.

4. **Emergency Allocations**

- A. Department of Administrative Services is requesting an emergency allocation in the amount of \$6,521.14. On September 22, 2015 a water leak in the Capitol Building, caused damage to State Auditor's office. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends allocation, subject to audit of actual invoices.

- B. Department of Inspections and Appeals is requesting a supplemental emergency allocation in the amount of \$473.55 and payment in the amount of \$3,959.16. On November 1, 2015 vehicle #105532 was damaged as the result of a tree falling onto the vehicle. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends both allocation and payment. This allocation will be paid in full and closed.

- C. Department of Public Safety is requesting a supplemental emergency allocation in the amount of \$1,085.27 and payment in the amount of \$4,679.27. On December 15, 2015 damage was caused to vehicle #297 as a result of hitting a deer on County Road L-56, south of Cherokee. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends both allocation and payment. This allocation will be paid in full and closed.

- D. Department of Public Safety is requesting a supplemental emergency allocation in the amount of \$248.90, and payment in the amount of \$11,411.70. On December 1, 2015 damage was caused to vehicle #59 as a result of hitting a deer on HWY 92. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends both allocation and payment. This allocation will be paid in full and closed.

- E. Department Natural Resources is requesting a supplemental emergency allocation in the amount of \$926.55 and payment in the amount of \$4,310.80. On November 6, 2015 vehicle #1328 was damaged as the result of hitting a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends both allocation and payment. This allocation will be paid in full and closed

5. Payment of Cost Items

- A. Hudson, Mallaney, Shindler & Anderson, P.C..... \$27.50
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.

- B. McDowell, Rice, Smith & Buchanan.....\$12,880.86
605 West 47th Street, Suite 350
Kansas City, MO 64112
Tobacco Settlement Authority

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Tobacco Settlement Authority

- C. Kristin Guddall \$5,565.00
Attorney at Law
2609 NW 14th Street
Ankeny, IA 50322
Iowa Court of Appeals/Iowa Supreme Court Cases

Jeffrey Thompson, Solicitor General, Attorney General's Office has reviewed this invoice and recommends payment. Payment will be made from the Attorney General's Office's Forfeiture Fund.

- D. Gray Miller Persh, LLP.....\$1,643.40
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.

- E. Wandro & Associates, P.C. \$5,175.00
2501 Grand Avenue, Suite B
Des Moines, IA 50312
Unclaimed Property Probate Matters

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

F. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$402.00
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

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

G. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$263.82
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 Thompson, Solicitor General, has reviewed these invoices and
recommends payment. Payment will be made from the funds of the
Department of Revenue.

H. Patterson Law Firm L.L.P..... \$1,284.00
505 Fifth Avenue, Suite 729
Des Moines, IA 50309-2390
Mary E. Lowe v. Judicial Branch – Juvenile Court Services and State of Iowa
and Second Injury Fund of Iowa

I. Patterson Law Firm L.L.P..... \$96.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Brandon Logan v. Woodward Resource Center, State of Iowa and Second
Injury Fund of Iowa

J. Patterson Law Firm L.L.P..... \$36.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Thomas Prine v. Iowa Department of Transportation, State of Iowa and
Second Injury Fund of Iowa

- K. Patterson Law Firm L.L.P. \$108.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Maury White v. Iowa Department of Transportation, State of Iowa and Second Injury Fund of Iowa

- L. Patterson Law Firm L.L.P. \$132.50
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Annette Henning v. Department of Transportation, State of Iowa and Second Injury Fund of Iowa

- M. Patterson Law Firm L.L.P. \$342.00
 729 Insurance Exchange Building
 505 Fifth Avenue
 Des Moines, IA 50309-2390
Brigitte Toingar v. University of Iowa Hospitals and Clinics, State of Iowa and Second Injury Fund of Iowa

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

- N. Department of Natural Resources\$500.00
 During the time period of March through July 2010 flooding damaged several Iowa State Parks.

The State Auditor's Office has reviewed the above request and recommends payment. This represents full and final payment, \$93,955.96 will be reverted and this allocation closed.

- O. Department of Natural Resources \$150,928.70
 On June 3, 2014 a storm caused damage at Wilson Island State Recreation Area. Request was to cover repair costs.

The State Auditor's Office has reviewed the above request and recommends payment. This represents full and final payment, and this allocation closed.

- P. Iowa Communications Network\$10,701.95
 On October 22, 2015 ICN cable was damaged due to erosion along Highway 24 east of Lawler. Request was to cover repair costs.

The State Auditor has reviewed this request and recommends payment. This represents full and final payment, \$5,801.74 will be reverted and this allocation will be closed.

6. **Information Items**

Notification from the State Auditor's Office that funds previously allocated for damages to various Agencies will be reverted and allocations closed because of no recent activity. The Allocations are as follows:

- A. Department of Public Safety, Iowa State Patrol \$1,790.00
On May 4 through May 6, 2012 hail damaged four vehicles and a window at the Cherokee Office. Request was to cover repair costs.

- B. Department of Natural Resources \$5,385.00
The allocation being requested is a result of a fire on December 25, 2011 at the State Park Trails Office at Big Creek State Park. In April 2012 it was determined that plugged sewer line and oil sludge was caused by the original fire. Request was to cover costs because of damage.

- C. Department of Corrections, Anamosa State Penitentiary..... \$22,429.75
On September 23, 2012 the State Penitentiary sustained fire damage to a boiler at the Power Plant. Request was to cover repairs.

- D. Department of Administrative Services \$2,751.16
On May 21, 2013 a roof leak at the Iowa Building caused damage to furniture. Request was to cover replacement

- E. Department of Corrections \$125,000.00
On December 17, 2014 a storm damaged the Power Plant roof, Laundry Building roof and others at the Anamosa State Penitentiary. Request was to cover repair costs.



Iowa Department of Human Services

Terry E. Branstad
Governor

Kim Reynolds
Lt. Governor

Charles M. Palmer
Director

MAR 18 2016

EXECUTIVE COUNCIL
2016 MAR 21 AM 11:21

Executive Council
Attn: GeorgAnna Madsen
Capitol Building
LOCAL

Item: Governor Proclamation of a State of Disaster Emergency – Request for Funds

Dear Ms. Madsen:

Per the Governor's Disaster Declaration, I am requesting funding for the Iowa Individual Assistance Grant Program be placed on the Executive Council Agenda for Monday, March 28, 2016. The Iowa Department of Human Services is requesting the Executive Council adopt a Resolution for Funds in the amount of \$20,000.00 for Clinton County pursuant to House File 896 Section 1 to distribute funds to individuals or families to replace/repair items affected by the disaster emergency which cannot be met by other means of financial assistance.

The account coding for the funds to be transferred will be:

Dept Fund Appr Org
401 0391 0000 1603 State Only Disaster – March, 2016 for Clinton County.

Thank you for your assistance.

Sincerely,

Charles M. Palmer
Director

cc: Vern Armstrong
Marvin Shultz
Mihneta Lisinovic
Rick Fox