

EXECUTIVE COUNCIL OF IOWA AGENDA

- Teleconference Only -

Conference Call Phone Number: (866) 685-1580
Conference Code Pin: 0009990993
10:00 AM

October 5, 2020

1. Approval of minutes from the meeting held on September 14, 2020
2. Outside Counsel – Page 1
TAB # 1, 2
3. Emergency Allocations – Pages 1 – 5
4. Payment of Cost Items – Pages 5 – 7
5. Department of the Navy – Page 7
TAB # 3

2. **Outside Counsel**

- A. The Department of Justice, Attorney General’s office requests retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Michael Timm v. IMMC and 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: \$140.00 Per Hour

TAB # 1

- B. The Department of Justice, Attorney General’s office requests retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Kent Daugherty v. Iowa State Fair Authority and 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: \$140.00 Per Hour

TAB # 2

3. Emergency Allocations

- A. Department of Public Safety is requesting an emergency allocation in the amount of \$7,797.13. On June 11, 2020, State Patrol Vehicle #493 was damaged by a deer. 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 Public Safety is requesting an emergency allocation in the amount of \$3,357.20. On May 31, 2020, State Patrol Vehicles #140, #354 and #396 were damaged by vandalism during protests. Request is to cover repair costs.

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

- C. Department of Public Safety is requesting an emergency allocation in the amount of \$6,497.85. On June 5, 2020, State Patrol Vehicle #631 was damaged by a deer. Request is to cover repair costs.

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

- D. Department of Public Safety is requesting an emergency allocation in the amount of \$2,462.59. On July 11, 2020, State Patrol Vehicle #830 was damaged by hail. Request is to cover repair costs.

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

- E. Department of Public Safety is requesting an emergency allocation in the amount of \$17,214.12. On July 10, 2020, Vehicle #105221 was damaged by a deer. Request is to cover repair costs.

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

- F. Department of Public Safety is requesting an emergency allocation in the amount of \$4,954.20. On July 11, 2020, State Patrol Vehicle #146 was damaged by hail. Request is to cover repair costs.

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

- G. Department of Public Safety is requesting an emergency allocation in the amount of \$4,320.40. On July 11 2020, State Patrol Vehicle #152 was damaged by hail. Request is to cover repair costs.

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

- H. Department of Public Safety is requesting an emergency allocation in the amount of \$6,554.05. On July 31, 2020, State Patrol Vehicle #132 was damaged by a deer. Request is to cover repair costs.

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

- I. Department of Natural Resources is requesting a supplemental emergency allocation in the amount of \$3,948.00. This will increase the total allocation to \$11,248.00. On December 23, 2019 there was vandalism to lodge at Palisades Kepler State Park. Request is to cover repair costs.

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

- J. Department of Administrative Services is requesting an emergency allocation in the amount of \$8,327.35. On June 8, 2020, Vehicle #1534 was damaged by a deer. Request is to cover repair costs.

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

- K. Department of Administrative Services is requesting an emergency allocation in the amount of \$30,701.09. On July 11, 2020, Vehicles #1519, #1524, #1526 and #2258 was damaged by hail. Request is to cover repair costs.

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

- L. Department of Administrative Services is requesting an emergency allocation in the amount of \$11,800.00. On July 9, 2020, a sink hole opened near South Capitol Terrace. Request is to cover repair costs.

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

- M. Department of Administrative Services is requesting an emergency allocation in the amount of \$4,513.99. On July 11, 2020, Vehicle #1765 was damaged by hail. Request is to cover repair costs.

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

- N. Department of Administrative Services is requesting an emergency allocation in the amount of \$31,678.00. On August 10, 2020, a storm caused damages to Capitol Complex. Request is to cover repair costs.

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

- O. Department of Administrative Services is requesting an emergency allocation in the amount of \$2,500.00. On August 10, 2020, a storm caused damages to Terrace Hill. Request is to cover repair costs.

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

- P. Iowa Workforce Development is requesting an emergency allocation in the amount of \$4,279.95. On May 29, 2020, 150 Des Moines Street Building was damaged due to vandalism. Request is to cover repair costs.

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

- Q. Department of Corrections – Anamosa State Penitentiary is requesting an emergency allocation in the amount of \$2,064.82. On June 4, 2020, an electrical storm caused damage to the taut wire system. Request is to cover repair costs.

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

- R. Iowa Communications Network is requesting an emergency allocation in the amount of \$19,200.10. On July 21, 2020 ICN sustained cable damage due to excessive erosion along I-80 at Mosquito Creek in Pottawattamie County. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included.

- S. Board of Regents – Iowa State University is requesting an emergency allocation and payment in the amount of \$78,710.00. On September 9, 2019 a lightning strike caused damage to the Veterinary Medicine Complex Simplex Fire Pane. Request is to cover repair costs.

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

- T. Board of Regents – Iowa State University is requesting an emergency allocation and payment in the amount of \$21,528.04. On January 24, 2020 a fire caused damages in the lab at the Veterinary Medicine Complex. Request is to cover repair costs.

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

- U. Board of Regents – Iowa State University is requesting an emergency allocation and payment in the amount of \$27,793.53. On May 22, 2020 a burst pipe caused water damages to the Veterinary Medicine Complex. Request is to cover repair costs.

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

- V. Board of Regents – University of Iowa is requesting an emergency allocation in the amount of \$479,716.49. On July 20, 2020 a chilled water line leak caused water damage at the Chemistry Building. Request is to cover repair costs.

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

- W. Board of Regents –University of Iowa is requesting an emergency allocation in the amount of \$34,795.00. On March 13, 2020 a musical instrument was stolen from the Voxman Music Building. Request is to cover repair costs.

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

4. Payment of Cost Items

- A. Department of Public Safety.....\$6,977.35
On February 17, 2020 State Patrol Vehicle 580 was damaged by a deer. Request is to cover repair costs.

The State Auditor’s Office has reviewed this request and recommends payment. This represents full and final payment, \$1,820.68 will be reverted and this allocation closed.

- B. Gray Miller Persh, LLP.....\$2,534.60
2233 Wisconsin Avenue NW
Suite 226
Washington, D.C. 20007
Iowa Public Television

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from Iowa PBS.

- C. Michael Marquess.....\$5,000.00
2183 Docks Drive
Garwin, IA 50632
Tribal cases when the offenses are committed by non-natives against non-natives (or without a victim) on the Sac and Fox Indian Settlement in Tama County

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

D. Simmons Perrine Moyer Bergman PLC.....\$300.00
115 Third Street SE, Suite 1200
Cedar Rapids, IA 52401
Tobacco Settlement Authority

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

E. Richard J. Bennett, Sr.....\$1,164.00
PO Box 65666
West Des Moines, IA 50265
Special Counsel for the Criminal Appeals Division of the Iowa Attorney General's Office

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

F. Patterson Law Firm L.L.P.....\$168.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Robert James Conrad v. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa

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

G. Patterson Law Firm L.L.P.....\$476.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Dena Nelson v. Glenwood Resource Center, State of Iowa and Second Injury Fund of Iowa

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

H. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$4,540.00
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 S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Iowa Department of Revenue.

I. Davis Brown Law
Firm.....\$69.00
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.

5. Department of the Navy

A. Request from the Department of the Navy to extend the loan of ship model USS Iowa (BB-61), Supplement No. 37 Contract N00024-82-C-0204, from November 1, 2020 to November 1, 2021.
TAB # 3