

EXECUTIVE COUNCIL OF IOWA AGENDA

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

FEBRUARY 3, 2014

1. Introduction of Attendees
2. Approval of minutes of meeting held January 27, 2014.
3. Iowa Code §99G.21(3) – Page 1
TAB # 1
4. Leases – Page 1
5. Emergency Allocations – Pages 1 - 2
6. Payment of Cost Items – Pages 2 - 3
7. Information Items – Page 3
TAB #'s 2 and 3

3. Iowa Code Section 99G.21(3)

Iowa Lottery Authority requests approval of the Executive Council of Iowa to purchase real-estate property in the amount of \$5,350,000.00.

TAB # 1

4. Leases

A. Lease between DNR and L. G. Everist

Date of Lease: Five Years ending August 31, 2018

Legal Description: A portion of the bed of the Missouri River containing an area less than 500 square feet, located approximately 1.5 miles south of the Interstate Highway 29 bridge at Missouri River Mile 727.3 at the Bridgeport Industrial Park, Sioux City, in the SW quarter of Section 13, Township 88 North, Range 48 West of the 5th P.M., Woodbury County, IA.

Annual Fee: \$ 300.00

B. Lease between DNR and Betty Gingerich

Date of Lease: Five Years ending December 31, 2018

Legal Description: Lot 13 in Block 18 of James McGregor Jr.'s Addition to the Town of McGregor in Clayton County, Iowa.

Annual Fee: \$ 300.00

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

5. Emergency Allocations

A. Department of Public Safety is requesting an emergency allocation in the amount of \$7,093.00. On November 11, 2013 vehicle # 478 was damaged as a result of hitting a deer northbound on Highway 2 in Taylor County. Request is to cover repair costs.

The State Auditor has reviewed this request and recommends an allocation, subject to audit of actual invoices.

B. Department of Public Safety is requesting an emergency allocation in the amount of \$4,721.89. On January 11, 2014 vehicle # 56 was damaged as a result of hitting a deer on Ireland Avenue in Johnson County. Request is to cover repair costs.

The State Auditor has reviewed this request and recommends an allocation, subject to audit of actual invoices.

- C. Department of Public Safety is requesting an emergency allocation in the amount of \$3,190.08. On January 7, 2014 vehicle # 331 was damaged as a result of hitting a deer eastbound on G61 in Madison County. Request is to cover repair costs.

The State Auditor has reviewed this request and recommends an allocation, subject to audit of actual invoices

- D. Department of Public Safety is requesting an emergency allocation in the amount of \$6,915.40. On November 3, 2013 vehicle # 1344 was damaged as a result of hitting a deer near Grant Avenue and 100th Street in Guthrie County. Request is to cover repair costs.

The State Auditor has reviewed this request and recommends an allocation, subject to audit of actual invoices

- E. Department of Public Safety is requesting an emergency allocation in the amount of \$5,364.82. On November 18, 2013 vehicle # 1741 was damaged as a result of hitting a deer in Walnut. Request is to cover repair costs.

The State Auditor has reviewed this request and recommends an allocation, subject to audit of actual invoices

6. Payment of Cost Items

- A. Davis Brown Law Firm.....\$180.00
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, Iowa Department of Justice, has reviewed this invoice and recommends payment. Payment will be made from the Unclaimed Property Fund.

- B. Frandzel Robins Bloom & Csato, L.C.....\$1,512.45
6500 Wilshire Boulevard, 17th Floor
Los Angeles, CA 90048-4920
Wong v. Neutraltus Pharmaceuticals Inc. UOI Pharmaceuticals et, al

Eric Tabor, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the University of Iowa.

- C. Davis, Brown, Koehn, Shors & Roberts, P.C..... \$3,149.00
The Davis Brown Tower
215 10th Street, Suite 1300
Des Moines, IA 50309-3993
Represent Iowa in copyright, trademark, and patent legal advice for various agencies

Eric Tabor, Chief Deputy Attorney General, has reviewed these invoice and recommends payment. Payment will be made from the funds of the Iowa Economic Development Authority.

- D. Patterson Law Firm L.L.P..... \$720.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
David Ozolins v. University of Iowa and Second Injury Fund of Iowa

Eric Tabor, Chief Deputy Attorney General, has reviewed this invoice and recommends payment.

- E. Dorsey & Whitney.....\$456.00
801 Grand Avenue, Suite 3900
Des Moines, IA 50309
2009-2010 Series of I-Jobs Bonds

Eric Tabor, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Revenue Bonds Debt Service Fund.

- F. Davis, Brown, Koehn, Shors & Roberts, P.C..... \$36.00
The Davis Brown Tower
215 10th Street, Suite 1300
Des Moines, IA 50309-3993
Represent Iowa in copyright, trademark, and patent legal advice for various agencies

Eric Tabor, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Iowa Economic Development Authority.

7. Information Items

- A. Status of State Aid (Iowa Code 29C.20) Allocations, Iowa Department of Homeland Security and Emergency Management up-date on remaining obligations.

TAB # 2

- B. Letter from State Auditor's office regarding Emergency Allocation previously approved with balance remaining that is being reverted and the allocation closed.

TAB # 3



2323 Grand Avenue · Des Moines · Iowa 50312-5307
Telephone: 515-725-7900 · Fax: 515-725-7882
www.ialottery.com

EXECUTIVE COUNCIL
2014 JAN 30 PM 3: 56

Terry E. Branstad · Governor
Kim Reynolds · Lt. Governor

Terry Rich · Chief Executive Officer

Jan. 30, 2014

Executive Council of Iowa
Capitol Building
Des Moines, IA 50319

Dear Executive Council Members,

The Iowa Lottery Authority requests your permission for it to purchase real estate located at and commonly known as 13001 University Avenue, Clive, Iowa.

At its meeting on Jan. 29, 2014, the Iowa Lottery Authority Board unanimously approved the purchase of the real estate for the price of \$5,350,000 and short-term financing for a portion thereof. The property would serve as the Lottery's headquarters and Des Moines area regional office facility.

The Iowa Lottery Authority is self-funded and under the purchase proposal, the Authority would close on the property on or about April 1, 2014, paying \$3,000,000 of the purchase price in the current fiscal year. The Authority anticipates financing the remaining \$2,350,000 of the purchase price and the interest thereon at the time of closing and paying the amount at the beginning of fiscal year (FY) 2015 within six months of closing. However, it has the option of paying the entire purchase price in FY 2014 if its revenues allow for that.

In addition to permission for the overall purchase, the Authority requests your permission to incur this short-term financing of up to \$2,350,000 and the interest thereon, for the purchase of the real estate. Any financing that may be incurred would comply with the Authority's FY 2014 and FY 2015 budgets and be paid in full within six months of the closing date of the purchase.

Iowa Code section 99G.21 gives the Iowa Lottery Authority the ability to acquire by lease or by purchase real and personal property and incur debt in its own name, however, any purchase of real property and any borrowing of more than \$1,000,000 requires prior approval of the Executive Council of Iowa.

The Real Estate Team at the Department of Administrative Services-General Services Enterprise has negotiated the ability to purchase the property now at a favorable price. As the property is vacant, the Authority would be able to occupy the building quickly, thus successfully managing the business risks associated with an emergency relocation or closure at its current headquarters building.

For further details, please refer to the letter from the Authority and DAS as well as the attachment entitled Iowa Lottery Space Options – January 22, 2014.

We respectfully request your approval of this purchase under the terms outlined above.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Rich".

Terry Rich, CEO

Executive Council of Iowa
 Status of Disaster Aid (Iowa Code 29C.6(17))
 State / Federal Disaster Declarations

QUARTERLY UPDATE: 12/31/2013

Executive Council Agenda -- Information Item

Agency Iowa Department of Homeland Security and Emergency Management

Contact Name Pat Hall, Recovery Division Administrator

Contact Phone 515-979-1835

Contact Email patrick.hall@iowa.gov

Declaration Number	Date of Event	Type of Event	Executive Council Authorized/Allocated	Expended Year-to-Date	Remaining State Liability	"X" if Final Update
DR 1688	02/23/2007 to 03/02/2007	Severe Winter Storms	\$ 10,072,978.00	\$ 9,207,835.25	\$ 865,142.75	
DR 1705	05/05/2007 to 05/07/2007	Severe Storms, Tornadoes, Floods	\$ 3,600,871.00	\$ 1,950,284.21	\$ 1,650,586.79	
DR 1727	08/17/2007 to 09/05/2007	Severe Storms, Floods	\$ 1,537,963.00	\$ 924,837.47	\$ 613,125.53	
DR 1737	12/10/2007 to 12/11/2007	Severe Winter Storms	\$ 4,569,933.00	\$ 4,051,644.65	\$ 518,288.35	
DR 1763*	05/25/2008 to 08/13/2008	Severe Storms, Tornadoes, Floods	\$ 58,099,526.00	\$ 48,553,827.76	\$ 9,545,698.24	
DR 1854	07/10/2009 to 07/10/2009	Severe Storms, Wind	\$ 1,063,522.00	\$ 754,895.90	\$ 308,626.10	
DR 1877	12/23/2009 to 12/27/2009	Severe Winter Storms, Snowstorm	\$ 1,815,200.00	\$ 771,312.18	\$ 1,043,887.82	
DR 1880	01/19/2010 to 01/26/2010	Severe Winter Storms	\$ 20,626,781.00	\$ 5,537,045.81	\$ 15,089,735.19	
DR 1928	05/12/2010 to 05/13/2010	Severe Storms, Floods	\$ 1,905,460.00	\$ 202,891.28	\$ 1,702,568.72	
DR 1930	06/01/2010 to 08/31/2010	Severe Storms, Tornadoes, Floods	\$ 11,012,620.00	\$ 5,115,885.64	\$ 5,896,734.36	
DR 1977	04/09/2011 to 04/10/2011	Severe Storms, Tornadoes, Straight-Line Winds	\$ 965,310.00	\$ 331,122.47	\$ 634,187.53	
DR 1998	05/25/2011 and 08/01/2011	Missouri River Flooding	\$ 9,620,888.00	\$ 4,248,680.21	\$ 5,372,207.79	
DR 4016	07/09/2011 to 07/14/2011	Severe Storms, Straight-line Winds, Floods	\$ 1,065,892.00	\$ 470,847.23	\$ 595,044.77	
DR 4018	07/27/2011 to 07/29/2011	Severe Storms, Floods	\$ 819,935.00	\$ 329,848.46	\$ 490,086.54	
DR 4114	04/09/2013 to 04/11/2013	Severe Winter Storms	\$ 2,012,949.00	\$ 101,497.20	\$ 1,911,451.80	
DR 4119	04/17/2013 to 04/30/2013	Severe Storms, Straight-line Winds, Floods	\$ 1,189,904.00	\$ 7,745.06	\$ 1,182,158.94	
DR 4126	05/19/2013 to 06/14/2013	Severe Storms, Tornadoes, Floods	\$ 3,576,351.00	\$ 100,010.37	\$ 3,476,340.63	
DR 4135	06/21/2013 to 06/28/2013	Severe Storms, Tornadoes, Floods	\$ 777,378.00	\$ -	\$ 777,378.00	
TOTALS			\$ 134,333,461.00	\$ 82,660,211.15	\$ 51,673,249.85	

* DR 1763 -- Estimated state need = \$101,648,464

The above data is provided as an information update to the Executive Council of Iowa.

Patrick J. Hall

Patrick J. Hall, Recovery Division Administrator

1/14/14

Date



OFFICE OF AUDITOR OF STATE
STATE OF IOWA

Mary Mosiman, CPA
Auditor of State

State Capitol Building
Des Moines, Iowa 50319-0004

Telephone (515) 281-5834 Facsimile (515) 242-6134

January 24, 2014

GeorgAnna Madsen
Executive Council
LOCAL

Subject: Hail Storm at Brushy Creek Recreation Area
In Webster County on August 9, 2009
Department of Natural Resources (DNR)
Claim dated February 26, 2010

In accordance with Executive Council policy, we previously recommended an allocation of \$4,140.00 of 29C.20 funds for the above-mentioned damage. The Department notified us repairs were completed as part of a larger project and no reimbursement will be requested. Therefore, we recommend Executive Council close the above-mentioned allocation and revert the amount of \$4,140.00 to the State Treasury.

Sincerely,

A handwritten signature in cursive script that reads "Andrew E. Nielsen".

Andrew E. Nielsen, CPA
Deputy Auditor of State

cc: Chuck Gipp, Director, Department of Natural Resources
Kara Bryant, Federal Aid Coordinator, Department of Natural Resources

EXECUTIVE COUNCIL
JAN 24 2014 11:23:59