
FISCAL UPDATE Article

Fiscal Services Division

August 8, 2023



Ground Floor, State Capitol Building

Des Moines, Iowa 50319

515.281.3566

EXECUTIVE COUNCIL MEETING — AUGUST 7, 2023

Meeting. The Executive Council met on Monday, August 7, 2023. The following are agenda items approved by the Council:

- The Council approved the minutes from the Executive Council meeting held on July 10, 2023.
- The Council approved a request from Dennis Harper, Recovery Division Administrator, for the Iowa Department of Homeland Security and Emergency Management for a resolution of funds in the amount of \$330,000 pursuant to Iowa Code sections [29C.20A](#) and [29C.20B](#) with regard to the Governor's Proclamation of a State of Disaster Emergency for Appanoose, Davis, Jefferson, Lee, Lucas, Monroe, Ringgold, Wapello, and Union counties.
- The Council approved a request from the Department of Justice, Attorney General's Office, for approximately \$29,000 pursuant to Iowa Code section [7D.10](#) for court costs and expenses incurred in prosecuting civil commitments under Iowa Code chapter [229A](#) for the Sexually Violent Predator (SVP) program.
- The Council approved three requests from the Department of Justice, Attorney General's Office, for retention of outside counsel at a rate of \$160 per hour pursuant to Iowa Code section [13.3](#) for workers' compensation cases filed by State employees.
- The Council approved a request from the Department of Justice, Attorney General's Office, for retention of special counsel pursuant to Iowa Code section [13.7](#) for specialized legal services and representation to the State with respect to an investigation into, and possible litigation of, certain business practices of TikTok. The engagement will be governed by a contingent fee agreement between the Attorney General's Office and the law firm (Cooper & Kirk, PLLC), and will comply with the requirements of Iowa Code section [23B.3](#).
- The Council approved a request from the Department of Justice, Attorney General's Office, on behalf of the Department of Revenue to expend \$120,000 from the Litigation Expense Fund pursuant to Iowa Code section [441.73](#) to pay anticipated litigation expenses for the third quarter of FY 2024.
- The Council approved the following leases:
 - A lease between the Department of Natural Resources (DNR) and Muscatine Power and Water. The lease is for a portion of the Mississippi River bed that is approximately 2,000 feet of frontage by 200 feet of depth at river mile 453 in Muscatine County, to be used for barge loading and unloading. The lease will run from July 1, 2023, to December 31, 2027, and the annual cost of the lease is approximately \$23,000.
 - A lease between the DNR and S&S Rentals, Inc. The lease is for an area below the ordinary high-water level (OHWL) at Mississippi River mile 662 in Allamakee County that is approximately 26 feet of frontage by 65 feet of depth, to be used for the continued presence of a marine travel lift. The lease will run from July 1, 2023, through December 31, 2027, and the annual cost of the lease is approximately \$586.
 - A lease between the DNR and Rowell Chemical. The lease is for an area approximately 120 feet of frontage by 35 feet of depth at Mississippi River mile 451.2 in Muscatine County, to be used for barge loading and unloading. The lease will run from June 1, 2023, through December 31, 2027, and the annual cost of the lease is \$938.
 - A lease between the DNR and an individual. The lease is for an area of dedicated public land that is approximately 28 feet of frontage by 5 feet of depth at Triboji Beach in Dickinson County, for a deck. The lease will run from January 1, 2023, through December 31, 2027, and the annual cost of the lease is \$150.

- The Council approved a request from the Department of Administrative Services (DAS) to purchase property located at 6200 Park Avenue in Des Moines, not to exceed the asking price of approximately \$21.3 million. The property consists of a fully furnished and move-in-ready office building. The building will house the Department of Inspections, Appeals, and Licensing staff, as well as the DNR staff currently housed within the Wallace Building.
- The Council approved emergency allocations totaling approximately \$241,000 for the following purposes:
 - Approximately \$15,000 to the DAS for vehicle repairs.
 - Approximately \$64,000 to the Department of Public Safety (DPS) for vehicle repairs.
 - Approximately \$6,000 to the DPS for water damage repair costs as a result of a burst pipe.
 - Approximately \$2,000 to the Department of Cultural Affairs for repair costs to the Western Historic Trails Center in Council Bluffs as a result of gunshot damage.
 - Approximately \$153,000 to the Department of Corrections (DOC) — Anamosa State Penitentiary for lightning damage repairs as a result of a storm.
- The Council approved the payment of cost items totaling approximately \$495,000 for the following purposes:
 - Approximately \$9,000 to the DAS for vehicle repairs.
 - Approximately \$33,000 to the DPS for vehicle repairs.
 - Approximately \$359,000 to the DOC — Clarinda Correctional Facility for wind damage repairs to the roof as a result of a storm.
 - Approximately \$83,000 to the DOC — Anamosa State Penitentiary for lightning damage repairs as a result of a storm.
 - Approximately \$3,000 from Iowa PBS for legal services.
 - Approximately \$2,000 from the Attorney General's Office's Forfeiture Fund for special counsel.
 - Approximately \$500 from the DNR for legal services.
 - Approximately \$200 from the Department of Revenue for legal services.
 - Approximately \$1,000 from the Unclaimed Property Fund for legal services.
 - Approximately \$2,000 from the Second Injury Fund for legal services.
- The Council took note of the following information items:
 - The South Central Iowa Landfill made its first contingency loan payment of \$50,000. This loan was approved for \$1.0 million on August 8, 2022, and is prorated not to exceed 20 years.
 - The Council received a quarterly update on the status of State Aid allocations.
 - The Civil Reparations Trust Fund balance as of June 30, 2023, is approximately \$1.0 million.

More Information. Additional information is available from the Legislative Services Agency upon request.

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