

CITY FINANCE COMMITTEE[545]

Rules transferred from agency number 230 to 545 under the “umbrella” of Management Department[541]
pursuant to 1986 Iowa Acts, chapter 1245, section 118.

CHAPTER 1

OPERATIONS OF CITY FINANCE COMMITTEE

- | | |
|-----------|------------------------------|
| 1.1(384) | Purpose |
| 1.2(384) | Membership |
| 1.3(384) | Responsibilities of officers |
| 1.4(384) | Subcommittees |
| 1.5(384) | Staff |
| 1.6(384) | Compensation |
| 1.7(384) | Meeting |
| 1.8(384) | Office location |
| 1.9(384) | Quorum and majority vote |
| 1.10(384) | Order of business |

CHAPTER 2

BUDGET AMENDMENTS AND FUND TRANSFERS

- | | |
|--------------|---------------------------------------|
| 2.1(384,388) | Definitions |
| 2.2(384,388) | Appropriation of unanticipated amount |
| 2.3(384,388) | Transfers between programs |
| 2.4(384,388) | Transfers within programs |
| 2.5(384,388) | Fund transfers |

CHAPTER 3

BUDGET FORMS

- | | |
|----------|--------------|
| 3.1(384) | Budget forms |
|----------|--------------|

CHAPTER 4

EMPLOYEE BENEFITS

- | | |
|----------|---|
| 4.1(384) | Definition |
| 4.2(384) | Mandatory procedures |
| 4.3(384) | Optional procedures |
| 4.4(384) | Budgeting—other than general fund and road use tax fund |

CHAPTER 5

PETITIONS FOR RULE MAKING

(Uniform Rules)

- | | |
|----------|--------------------------|
| 5.1(17A) | Petition for rule making |
| 5.3(17A) | Inquiries |

CHAPTER 6

DECLARATORY ORDERS

(Uniform Rules)

- | | |
|----------|--|
| 6.1(17A) | Petition for declaratory order |
| 6.2(17A) | Notice of petition |
| 6.3(17A) | Intervention |
| 6.4(17A) | Briefs |
| 6.5(17A) | Inquiries |
| 6.6(17A) | Service and filing of petitions and other papers |
| 6.7(17A) | Consideration |
| 6.8(17A) | Action on petition |

- 6.9(17A) Refusal to issue order
- 6.12(17A) Effect of a declaratory order

CHAPTER 7
AGENCY PROCEDURE FOR RULE MAKING
(Uniform Rules)

- 7.5(17A) Public participation
- 7.6(17A) Regulatory analysis
- 7.10(17A) Exemptions from public rule-making procedures
- 7.11(17A) Concise statement of reasons

CHAPTER 8
PUBLIC RECORDS AND
FAIR INFORMATION PRACTICES
(Uniform Rules)

- 8.1(17A,22) Definitions
- 8.3(17A,22) Requests for access to records
- 8.9(17A,22) Disclosures without the consent of the subject
- 8.10(17A,22) Routine use
- 8.11(17A,22) Consensual disclosure of confidential records
- 8.12(17A,22) Release to subject
- 8.13(17A,22) Availability of records
- 8.14(17A,22) Personally identifiable information
- 8.15(17A,22) Data processing systems
- 8.16(17A,22) Other records
- 8.17(17A,22) Applicability

CHAPTER 9
LAW ENFORCEMENT OFFICER TRAINING REIMBURSEMENT

- 9.1(384) Eligible reimbursement
- 9.2(384) Reimbursable costs
- 9.3(384) Filing of claims
- 9.4(384) Documentation
- 9.5(384) Reimbursement percentage
- 9.6(384) Payment
- 9.7(384) Officer rehired
- 9.8(384) Decision appealed

CHAPTER 10
TAX RATE SUSPENSION APPEAL

- 10.1(24) Decision appealed

CHAPTER 1
OPERATIONS OF CITY FINANCE COMMITTEE
[Prior to 11/30/88, see City Finance Committee[230] Ch 1]

545—1.1(384) Purpose. To ensure that the proceedings of the city finance committee are conducted in an orderly manner and also to provide that the public is kept informed of actions taken by the city finance committee, the committee adopts the following rules.

545—1.2(384) Membership. The selection, appointment and approval of members to the city finance committee are made as provided for in Iowa Code section 384.13. Names of designees shall be given to the committee chairperson in writing by July 1 of each year, or promptly, if changed.

545—1.3(384) Responsibilities of officers. The officers of the city finance committee shall consist of a chairperson, a vice chairperson and a secretary.

1.3(1) Chairperson. The chairperson shall be elected yearly and shall preside over the proceedings of the city finance committee. Upon a vacancy on the city finance committee the chairperson shall notify the governor that a vacancy exists.

1.3(2) Vice chairperson. The vice chairperson shall serve in absence of the chairperson, and shall be assigned such other duties as the committee determines. The vice chairperson shall be elected yearly.

1.3(3) Secretary. Yearly, the city finance committee shall appoint a secretary to record the proceedings of the committee. The secretary may or may not be a member of the committee.

The secretary shall give advance public notice of the time and place of each meeting. The notice must be in accordance with Iowa Code section 21.4.

At least one week prior to the date of a meeting, the secretary shall prepare a tentative agenda for the next meeting of the committee and distribute this tentative agenda to the persons listed on a mailing list approved by the committee. This agenda shall also list the date, time and place of the meeting.

The secretary shall keep minutes of all proceedings of each meeting. The minutes will constitute the official record of all actions of the committee. Following each meeting, the secretary shall duplicate the minutes and distribute them to the persons listed on the approved mailing list.

When the secretary is absent from a committee meeting, the chairperson shall appoint a member of the committee to act as secretary until such time as the regular secretary is present.

The secretary shall provide to the committee members a list of the committee's members including the members' addresses, telephone numbers and term of office.

545—1.4(384) Subcommittees. The city finance committee may establish temporary or permanent subcommittees to research and investigate items of business to the committee. The rules set forth in this chapter shall guide the subcommittee, if applicable. Subcommittee members shall be appointed by the chairperson and reported to the committee. Subcommittee members need not be members of the committee. They may be reimbursed for expenses in the same manner as committee members.

545—1.5(384) Staff. The executive director of the department of management shall provide staff assistance to the committee as provided by law.

545—1.6(384) Compensation. Committee members are to be compensated as provided by law.

545—1.7(384) Meeting. A meeting of the committee shall be held at the call of the director of the department of management or upon an appeal of the director's decision.

All meetings of the committee shall be open to the public at all times, except that closed meetings may be held for the purposes provided in Iowa Code section 21.5. Closed sessions shall be called and conducted as provided for in section 21.5.

545—1.8(384) Office location. All submissions to or requests of the committee shall be made through the department of management office during normal working hours.

All records, minutes, manuals and other information concerning the proceedings of the committee shall be kept in the office of the director of the department of management. Such information shall be open to inspection by the public during normal working hours.

545—1.9(384) Quorum and majority vote. A quorum shall consist of five members of the committee. All actions of the committee for promulgating rules as provided for by law shall require five votes. All other actions of the committee must be approved by a simple majority vote of the members present at a meeting. The secretary shall record the vote of each member of the committee indicating if the vote was an aye, no, or abstention.

545—1.10(384) Order of business. The meetings of the city finance committee are to be presided over by the chairperson or the vice chairperson. Unless otherwise stipulated in these rules, Robert's Rules of Order are to be followed in conducting the business of the committee.

These rules are intended to implement Iowa Code sections 384.13 to 384.22.

[Filed 11/4/74]

[Filed 11/3/88, Notice 5/4/88—published 11/30/88, effective 1/4/89]

[Filed 4/24/91, Notice 11/14/90—published 5/15/91, effective 6/19/91]

CHAPTER 2
BUDGET AMENDMENTS AND FUND TRANSFERS

[Prior to 11/30/88, see City Finance Committee[230] Ch 2]

PREAMBLE

Consistent with home rule legislation, the city finance committee encourages as much flexibility as possible in the municipal budget administration. At the same time, it is the responsibility of the city finance committee to require those procedures and processes necessary to ensure adequate notice to citizens of proposed and adopted changes in the local budget and to provide an opportunity for citizen involvement in the reallocation process.

545—2.1(384,388) Definitions. The following terms when used in the rules of this part have the following meanings:

“*Act*” means the home rule Act, Acts of the Sixty-fourth General Assembly, chapter 1088, as amended.

“*Budget amendment*” means any change in the appropriations of a city’s budget after the budget has been finally adopted, and that requires preparation and adoption as provided in Iowa Code section 384.16 and subject to protest in Iowa Code section 384.19.

If in these rules the committee has provided that amendments of certain types or up to certain amounts do not require preparation and adoption as provided in Iowa Code section 384.15 and are not subject to protest as provided in Iowa Code section 384.19, then these types of amendments are not considered to be budget amendments.

“*Budget appropriation*” means the allocation of the total appropriation to each program for the following fiscal year, as provided for by a city’s budget as finally adopted. All appropriations shall be allocated to one or more of the nine programs as defined in this rule.

Any expenditure authorized in Iowa Code sections 384.23 to 384.94 shall be deemed appropriated.

“*Detailed budget*” shall mean documenting revenues and transfer in by sources and funds, and documenting expenditures and transfers out by funds, functions and objects.

“*Fund*” means a fiscal and accounting entity with a self-balancing set of accounts recording cash and other financial resources, together with all related liabilities and residual equities or balances, and changes therein, which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions or limitations.

“*Fund transfer resolution*” means a resolution of the city council which must be passed to allow for transfers between funds. A fund transfer resolution must be completed for all transfers between funds and must include a clear statement of reason or purpose for the transfer, the name of the fund from which the transfer is originating, the name of the fund into which the transfer is to be received, and the dollar amount to be transferred. For transfers of utility surpluses outlined in subrule 2.5(5), the calculation proving the surplus must also be shown in the resolution. Intrafund transfers do not require a fund transfer resolution. Multiple transfers between funds may be approved in one resolution, so long as each transfer’s purpose, originating fund or subfund, and receiving fund or subfund, and the amount of transferred dollars are separately identified. Fund transfer resolutions may also be included in budget or budget amendment adoption resolutions, so long as each transfer’s purpose, originating fund or subfund and receiving fund or subfund, and the amount of transferred dollars are separately identified.

“*Intrafund transfer*” means a transfer between accounts or subfunds within a fund.

“*Program*” means any one of the following nine major functions of public service that the city finance committee requires a city to use in defining the city’s program structure:

1. Public safety;
2. Public works;
3. Health and social services;
4. Culture and recreation;
5. Community and economic development;
6. General government;
7. Debt service;

8. Capital projects;
9. Business-type activities.

“*Transfers between funds*” means the transfer of amounts from one fund to another fund.
[ARC 4334C, IAB 3/13/19, effective 4/17/19]

545—2.2(384,388) Appropriation of unanticipated amount. Budget amendments to the adopted city budget to permit the appropriation and expenditure of unencumbered and unanticipated balances, or amounts anticipated to be available from sources other than property taxes but which have not been appropriated in the adopted budget shall be prepared as provided in Iowa Code section 384.16 and subject to protest as provided in Iowa Code section 384.19.

All adopted budget amendments to appropriate and expend unanticipated amounts must be certified to the auditor of the county or counties where the city is located and to the director of the department of management.

545—2.3(384,388) Transfers between programs. Except as specifically provided elsewhere in these rules, all appropriation transfers between programs are budget amendments and shall be prepared as provided in Iowa Code section 384.16 and subject to protest as provided in Iowa Code section 384.19.

All adopted budget amendments to permit the transfer of adopted budget appropriations between programs must be certified to the auditor of the county or counties where the city is located and to the director of the department of management.

545—2.4(384,388) Transfers within programs. Transfers within programs are not budget amendments within the meaning of Iowa Code section 348.18. It is the responsibility of the governing body of each city to provide its own written rules for transfers within programs.

545—2.5(384,388) Fund transfers.

2.5(1) General provisions. All transfers of moneys between funds found in the city budget forms must be approved by a fund transfer resolution. Transfers between funds in one program are types of amendments that do not require preparation and adoption as provided in Iowa Code section 384.16 and are not subject to protest as provided in Iowa Code section 384.19, but such transfers must comply with the state laws regarding the funds and the following subrules:

2.5(2) Emergency fund. No transfer may be made from any fund to the emergency fund.

2.5(3) Debt service fund. Except where specifically prohibited by state law, moneys may be transferred from any other city fund to the debt service fund to meet outstanding principal and interest. Such transfers must be authorized by the original budget or a budget amendment which has been adopted as provided in Iowa Code section 384.16 and subject to protest as provided in Iowa Code section 384.19.

2.5(4) Capital improvements reserve fund. Except where specifically prohibited by state law, moneys may be transferred from any city fund to the capital improvements reserve fund for purposes specified in Iowa Code section 384.7. Such transfers must be authorized by the original budget or a budget amendment which has been adopted as provided in Iowa Code section 384.16 and subject to protest as provided in Iowa Code section 384.19.

2.5(5) City utility fund and city enterprise fund. Any governing body of a city utility, combined utility system, city enterprise, or combined city enterprise which has a surplus in its fund may transfer such surpluses to any other city fund, except the emergency fund, by resolution of the appropriate governing body. For the purposes of this subrule:

a. A surplus may exist only after all required transfers have been made to any restricted accounts in accordance with the terms and provisions of any revenue bonds or loan agreements relating to the utility or enterprise fund.

b. A surplus shall be defined as the cash balance in the operating account or the unrestricted net position calculated in accordance with GAAP, after adding back the net pension and other postemployment benefits liabilities and the related deferred inflows of resources and deducting the related deferred outflows of resources, in excess of:

- (1) The amount of the expenses of disbursements for operating and maintaining the utility or enterprise for the preceding three months, and
- (2) The amount necessary to make all required transfers to restricted accounts for the succeeding three months.

[ARC 2811C, IAB 11/9/16, effective 12/14/16; ARC 4334C, IAB 3/13/19, effective 4/17/19]

These rules are intended to implement Iowa Code chapters 384 and 388.

[Filed 11/4/74]

[Amendment filed 10/10/75, Notice 8/25/75—published 10/20/75, effective 11/24/75]

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[Filed emergency 10/2/02—published 10/30/02, effective 1/1/03]

[Filed ARC 2811C (Notice ARC 2687C, IAB 8/31/16), IAB 11/9/16, effective 12/14/16]

[Filed ARC 4334C (Notice ARC 4234C, IAB 1/16/19), IAB 3/13/19, effective 4/17/19]

CHAPTER 3
BUDGET FORMS

[Prior to 11/30/88, see City Finance Committee[230] Ch 3]

545—3.1(384) Budget forms. The city finance committee may propose to the director of the department of management forms to be used for public notice of estimates and for certifying the original budget or budget amendments.

These rules are intended to implement Iowa Code sections 384.13 to 384.22.

[Filed 11/4/74]

[Filed 11/3/88, Notice 5/4/88—published 11/30/88, effective 1/4/89]

CHAPTER 4
EMPLOYEE BENEFITS

[Prior to 11/30/88, see City Finance Committee[230] Ch 4]

545—4.1(384) Definition. Employee benefits are defined as and limited to the following:

1. Employer's share of FICA (Federal Insurance Contribution Act).
2. Employer's share of IPERS (Iowa Public Employees' Retirement System).
3. Employer's share of police and fire retirement systems.
4. Employer's share of medical payments under Iowa Code chapters 410 and 411.
5. Retiree hospital/medical/prescription benefits pursuant to Iowa Code section 364.25.
6. Workers' compensation costs or insurance premiums.
7. Unemployment benefits.
8. Employer's share of employee benefit plan costs for employees and their dependents which would include only:

Hospital/medical/prescription benefits;

Dental benefits;

Disability insurance benefits;

Life insurance benefits;

Long-term insurance benefits;

Vision benefits.

9. Deferred compensation programs for city managers, fire chiefs, and police chiefs who do not participate in either IPERS or the Municipal Fire and Police Retirement System of Iowa (MFPRSI).

10. Employee wellness programs that are a part of, or are included with, a hospital/medical/prescription benefit program or a health and fitness program for employees that is adopted by city council motion, resolution, ordinance or included in a document approved by the city council.

11. Employee assistance program providing free counseling for employees and their dependents.

12. Occupational Safety and Health Administration (OSHA) required tests (e.g., pulmonary and heart tests).

13. Regularly scheduled, city-required, postemployment physicals for employees, police reserves and volunteer firefighters.

545—4.2(384) Mandatory procedures. These employee benefits must be budgeted in the city general fund up to the tax rate limit of that fund with the excess being budgeted in the trust and agency fund for those employees being paid from the city general fund:

1. Employer's share of FICA under Iowa Code section 97C.10.

2. Employer's share of IPERS under Iowa Code section 97B.9.

545—4.3(384) Optional procedures. These employee benefits may be budgeted in either the city general or city trust and agency fund for those employees being paid from the city general fund.

1. Employer's share of police and fire pension and retirement systems under Iowa Code chapters 410 and 411.

2. Employer's share of medical payments under Iowa Code sections 410.18 and 411.15.

3. Retiree hospital/medical/prescription benefits pursuant to Iowa Code section 364.25.

4. Workers' compensation costs or insurance premiums.

5. Unemployment benefits.

6. Employer's share of employee benefit plan costs for employees and their dependents which would include only:

Hospital/medical/prescription benefits;

Dental benefits;

Disability insurance benefits;

Life insurance benefits;

Long-term care insurance benefits;

Vision benefits.

7. Deferred compensation programs for city managers, fire chiefs, and police chiefs who do not participate in either IPERS or the Municipal Fire and Police Retirement System of Iowa (MFPRSI).

8. Employee wellness programs that are a part of, or are included with, a hospital/medical/prescription benefit program or a health and fitness program for employees that is adopted by city council motion, resolution, ordinance or included in a document approved by the city council.

9. Employee assistance program providing free counseling for employees and their dependents.

10. Occupational Safety and Health Administration (OSHA) required tests (e.g., pulmonary and heart tests).

11. Regularly scheduled, city-required postemployment physicals for employees, police reserves and volunteer firefighters.

545—4.4(384) Budgeting—other than general fund and road use tax fund. The revenues and appropriations for employee benefits for those employees being paid from any fund other than the city general fund and the road use tax fund shall be budgeted in and paid from the fund from which the employee is being paid.

This rule is intended to implement Iowa Code section 384.15.

[Filed emergency 4/20/78—published 5/17/78, effective 4/20/78]

[Filed 9/15/78, Notice 6/14/78—published 10/4/78, effective 11/8/78]¹

[Filed 1/18/79, Notice 12/13/78—published 2/7/79, effective 3/14/79]

[Filed 11/3/88, Notice 5/4/88—published 11/30/88, effective 1/4/89]

[Filed 10/25/06, Notice 8/16/06—published 11/22/06, effective 12/27/06]

¹ Effective date of 11/8/78 delayed 70 days by the Administrative Rules Review Committee.
Delay suspended by ARRC, 11/14/78

CHAPTER 5
PETITIONS FOR RULE MAKING

The city finance committee adopts the petitions for rule making segment of the Uniform Administrative Rules which is printed in the first volume of the Iowa Administrative Code, with the following amendments.

545—5.1(17A) Petition for rule making. In lieu of the words “(designate office)”, insert “Room 12, State Capitol, Des Moines, Iowa 50319”. In lieu of the words “(AGENCY NAME)”, the heading on the petition form should read:

“BEFORE THE CITY FINANCE COMMITTEE”

545—5.3(17A) Inquiries. In lieu of the words “(designate official by full title and address)”, insert “City Finance Committee, Room 12, State Capitol, Des Moines, Iowa 50319”.

[Filed 11/3/88, Notice 5/4/88—published 11/30/88, effective 1/4/89]

CHAPTER 6
DECLARATORY ORDERS

[Prior to 11/30/88, see City Finance Committee[230] Ch 5]

The city finance committee incorporates the declaratory orders segment of the Uniform Rules on Agency Procedure printed in the first volume of the Iowa Administrative Code with the following amendments.

545—6.1(17A) Petition for declaratory order. In lieu of the words “(designate agency)”, insert “committee”. In lieu of the words “(designate office)”, insert “the City Finance Committee, State Capitol, Room 12, Des Moines, Iowa 50319-0015”. In lieu of the words “(AGENCY NAME)”, the heading on the petition form should read:

BEFORE THE CITY FINANCE COMMITTEE

545—6.2(17A) Notice of petition. In lieu of the words “ ___ days (15 or less)”, insert “15 days”. In lieu of the words “(designate agency)”, insert “committee”.

545—6.3(17A) Intervention.

6.3(1) In lieu of the words “within ___ days”, insert “within 15 days”. Strike the words “(after time for notice under X.2(17A))”. In lieu of the number “X.8(17A)”, insert “6.8(17A)”.

6.3(2) In lieu of the words “(designate agency)”, insert “the committee”.

6.3(3) In lieu of the words “(designate office)”, insert “the City Finance Committee, State Capitol, Room 12, Des Moines, Iowa 50319-0015”. In lieu of the words “(designate agency)”, insert “committee”. In lieu of the words “(AGENCY NAME)”, the heading on the petition form should read:

BEFORE THE CITY FINANCE COMMITTEE

545—6.4(17A) Briefs. In lieu of the words “(designate agency)”, insert “committee”.

545—6.5(17A) Inquiries. In lieu of the words “(designate official by full title and address)”, insert “the City Finance Committee, State Capitol, Room 12, Des Moines, Iowa 50319-0015”.

545—6.6(17A) Service and filing of petitions and other papers.

6.6(2) In lieu of the words “(specify office and address)”, insert “the City Finance Committee, State Capitol, Room 12, Des Moines, Iowa 50319-0015”. In lieu of the words “(agency name)”, insert “committee”.

6.6(3) In lieu of the words “(uniform rule on contested cases X.12(17A))”, insert “rule 481—10.12(17A)”.

545—6.7(17A) Consideration. In lieu of the words “(designate agency)”, insert “committee”.

545—6.8(17A) Action on petition.

6.8(1) In lieu of the words “(designate agency head)”, insert “city finance committee”.

6.8(2) In lieu of the words “(contested case uniform rule X.2(17A))”, insert “rule 481—10.1(10A)”.

545—6.9(17A) Refusal to issue order.

6.9(1) In lieu of the words “(designate agency)”, insert “committee”.

545—6.12(17A) Effect of a declaratory order. In lieu of the words “(designate agency)”, insert “committee”.

These rules are intended to implement 1998 Iowa Acts, chapter 1202, section 13.

[Filed 9/15/78, Notice 6/14/78—published 10/4/78, effective 11/8/78]

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[Filed 4/30/99, Notice 3/24/99—published 5/19/99, effective 7/1/99]

CHAPTER 7
AGENCY PROCEDURE FOR RULE MAKING

The city finance committee incorporates the agency procedure for rule making segment of the Uniform Administrative Rules which is printed in the first volume of the Iowa Administrative Code, with the following amendments.

545—7.5(17A) Public participation.

7.5(1) *Written comments.* In lieu of the words “(identify office and address)”, insert “City Finance Committee, Room 12, State Capitol, Des Moines, Iowa 50319”.

7.5(5) *Accessibility.* In lieu of the words “(designate office and telephone number)”, insert “the city finance committee at (515)281-3705”.

545—7.6(17A) Regulatory analysis.

7.6(2) *Mailing list.* In lieu of the words “(designate office)”, insert “City Finance Committee, Room 12, State Capitol, Des Moines, Iowa 50319”.

545—7.10(17A) Exemptions from public rule-making procedures.

7.10(2) *Categories exempt.* In lieu of the words “(List here narrowly drawn classes of rules where such an exemption is justified and a brief statement of the reasons for exempting each of them)”, insert the following:

“a. Rules which are mandated by federal law or regulation in any situation where the department has no option but to adopt specified rules or where federal funding is contingent upon the adoption of the rules;

“b. Rules which implement recent legislation when a statute provides for an effective date which does not allow for the usual notice and public participation requirements;

“c. Rules which confer a benefit or remove a restriction on the public or some segment of the public;

“d. Rules which are necessary because of imminent peril to the public health, safety or welfare; and

“e. Nonsubstantive rules intended to correct typographical errors, incorrect citations, or other errors in existing rules.”

545—7.11(17A) Concise statement of reasons.

7.11(1) *General.* In lieu of the words “(specify office and address)”, insert “City Finance Committee, Room 12, State Capitol, Des Moines, Iowa 50319”.

These rules are intended to implement Iowa Code chapter 17A as amended by 1998 Iowa Acts, chapter 1202, and Iowa Code section 25B.6.

[Filed 11/3/88, Notice 5/4/88—published 11/30/88, effective 1/4/89]

[Filed 4/30/99, Notice 3/24/99—published 5/19/99, effective 7/1/99]

CHAPTER 8
PUBLIC RECORDS AND
FAIR INFORMATION PRACTICES

The city finance committee hereby adopts, with the following exceptions and amendments, rules of the Governor's Task Force on Uniform Rules of Agency Procedure relating to the public records and fair information practices which are printed in the first volume of the Iowa Administrative Code.

545—8.1(17A,22) Definitions. As used in this chapter:

“Agency.” In lieu of the words “(official or body issuing these rules)”, insert “city finance committee”. As used in these rules, unless the context otherwise requires, “Committee” means the city finance committee and “director” means the director of the department of management.

545—8.3(17A,22) Requests for access to records.

8.3(1) Location of record. In lieu of the words “(insert agency head)”, insert “City Finance Committee, Department of Management, State Capitol Building, Des Moines, Iowa 50319”, and in lieu of the words “(insert agency name and address)”, insert “city finance committee” at the above address.

8.3(2) Office hours. In lieu of the words “(insert customary office hours of at least thirty hours per week, insert hours specified in Iowa Code section 22.4)”, insert “8 a.m. to 4:30 p.m. daily, excluding Saturdays, Sundays, and legal holidays.”

8.3(7) Fees.

c. Supervisory fee. In lieu of the words “(specify time period)”, insert “thirty minutes”.

545—8.9(17A,22) Disclosures without the consent of the subject.

8.9(1) Open records are routinely disclosed without the consent of the subject.

8.9(2) To the extent allowed by law, disclosure of confidential records may occur without the consent of the subject. Following are instances where disclosure, if lawful, will generally occur without notice to the subject:

- a.* For a routine use as defined in rule 8.10(17A,22) or in any notice for a particular record system.
- b.* To a recipient who has provided the committee with advance written assurance that the record will be used solely as a statistical research or reporting record; provided, that, the record is transferred in a form that does not identify the subject.
- c.* To another government agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if an authorized representative of such government agency or instrumentality has submitted a written request to the agency specifying the record desired and the law enforcement activity for which the record is sought.
- d.* To an individual pursuant to a showing of compelling circumstances affecting the health or safety of any individual if a notice of the disclosure is transmitted to the last known address of the subject.
- e.* To the legislative services agency under Iowa Code section 2A.3.
- f.* Disclosures in the course of employee disciplinary proceedings.
- g.* In response to a court order or subpoena.

545—8.10(17A,22) Routine use.

8.10(1) Defined. “Routine use” means the disclosure of a record without the consent of the subject or subjects, for a purpose which is compatible with the purpose for which the record was collected. It includes disclosures required to be made by statute other than the public records law, Iowa Code chapter 22.

8.10(2) To the extent allowed by law, the following uses are considered routine uses of all agency records:

- a.* Disclosure to those officers, employees, and members of the committee who have a need for the record in the performance of their duties. The custodian of the record may, upon request of any

officer or employee, or on the custodian's own initiative, determine what constitutes legitimate need to use confidential records.

b. Disclosure of information indicating an apparent violation of the law to appropriate law enforcement authorities for investigation and possible criminal prosecution, civil court action, or regulatory order.

c. Disclosure to the department of inspections and appeals for matters in which it is performing services or functions on behalf of the committee.

d. Transfers of information within the committee to other state agencies, or to local units of government as appropriate to administer the program for which the information is collected.

e. Information released to staff of federal and state entities for audit purposes or for purposes of determining whether the committee is operating a program lawfully.

f. Any disclosure specifically authorized by the statute under which the record was collected or maintained.

545—8.11(17A,22) Consensual disclosure of confidential records.

8.11(1) *Consent to disclosure by a subject individual.* To the extent permitted by law, the subject may consent in writing to committee disclosure of confidential records as provided in rule 8.7(17A,22).

8.11(2) *Complaints to public officials.* A letter from a subject of a confidential record to a public official which seeks the official's intervention on behalf of the subject in a matter that involves the agency may, to the extent permitted by law, be treated as an authorization to release sufficient information about the subject to the official to resolve the matter.

545—8.12(17A,22) Release to subject.

8.12(1) The subject of a confidential record may file a written request to review confidential records about that person as provided in rule 8.6(17A,22). However, the committee need not release the following records to the subject:

a. The identity of a person providing information to the committee need not be disclosed directly or indirectly to the subject of the information when the information is authorized to be held confidential pursuant to Iowa Code section 22.7(18) or other provisions of law.

b. Records need not be disclosed to the subject when they are the work product of an attorney or are otherwise privileged.

8.12(2) Reserved.

545—8.13(17A,22) Availability of records.

8.13(1) *General.* Committee records are open for public inspection and copying unless otherwise provided by rule or law.

8.13(2) *Confidential records.* The city finance committee maintains no records that are considered confidential or that are prohibited from public disclosure.

545—8.14(17A,22) Personally identifiable information. The city finance committee does not maintain any records that could be considered personally identifiable.

545—8.15(17A,22) Data processing systems. None of the data processing systems used by the agency permit the comparison of personally identifiable information in one record system with personally identifiable information in another record system.

545—8.16(17A,22) Other records. The committee maintains a variety of records which do not generally contain information pertaining to named individuals. The committee maintains the following records, not heretofore listed, which do not generally contain personally identifiable or confidential information: minutes from the committee meetings, law enforcement officer training reimbursements, special reports and studies, appeals from denied requests for permission to exceed statutory levy limits.

545—8.17(17A,22) Applicability. This chapter does not:

1. Require the committee to index or retrieve records which contain information about individuals by that person's name or other personal identifier.
2. Make available to the general public records which would otherwise not be available under the public records law, Iowa Code chapter 22.
3. Govern the maintenance or disclosure of, notification of or access to, records in the possession of the committee which are governed by the rules of another agency.
4. Apply to grantees, including local governments or subdivisions thereof, administering state-funded programs, unless otherwise provided by law or agreement.
5. Make available records compiled by the committee in reasonable anticipation of court litigation or formal administrative proceedings. The availability of such records to the general public or to any subject individual or party to such litigation or proceedings shall be governed by applicable legal and constitutional principles, statutes, rules of discovery, evidentiary privileges, and applicable rules of the committee.

These rules are intended to implement Iowa Code section 22.11.

[Filed emergency 8/19/88 after Notice 6/29/88—published 9/7/88, effective 8/19/88]

CHAPTER 9
LAW ENFORCEMENT OFFICER TRAINING REIMBURSEMENT
[Prior to 11/30/88, see City Finance Committee[230] Ch 6]

545—9.1(384) Eligible reimbursement. Cities and counties are eligible for reimbursement of law enforcement officer training costs for law enforcement officers who have resigned. Training costs for officers fired, retired, or disabled shall not be eligible for reimbursement.

545—9.2(384) Reimbursable costs. Costs eligible for reimbursement include all necessary and actual training costs not otherwise recovered which were incurred after July 1, 1980, to comply with the minimum requirements of Iowa Code chapter 80B. To the extent funding is available, costs incurred for approved advanced law enforcement training are also eligible for reimbursement. Advanced law enforcement training costs must be approved by the local governing body and deemed legitimate, necessary and proper by the director of the department of management.

Reimbursable training costs include mileage, food, lodging, tuition, compensation of the officer in training and the compensation of a replacement officer while the officer is in training. Mileage, food and lodging costs are reimbursable at the rates normally reimbursed by the claimant to other employees for work related travel. Compensation of the officer in training and the replacement officer(s) includes wages and employer paid payroll taxes, insurance and pension contributions. However, the reimbursable compensation of the replacement officer(s) shall not exceed the reimbursable compensation of the officer in training.

Other costs eligible for reimbursement include those required by the training facility such as training uniforms, supplies or equipment which were paid for by the claimant and not returned to or used by the claimant after training.

545—9.3(384) Filing of claims. Claims for reimbursement shall be filed on forms prescribed by the director of the department of management. Forms may be obtained from the department of management.

Claims for payment shall be filed with the Department of Management, State Capitol, Des Moines, Iowa 50319. Claims must be filed within 90 days after the officer has resigned. If a reasonable cause can be shown, the due date may be waived. Claims filed after May 15 of any fiscal year will be considered for reimbursement in the following fiscal year. No more than one claim may be submitted for each reimbursable expense.

Claims shall be signed by the mayor or chairperson of the board of supervisors and attested by the city clerk or county auditor.

545—9.4(384) Documentation. Claims for reimbursement of law enforcement officer training costs shall be accompanied by proper documentation. Such documentation may include copies of invoices, canceled checks, salary and benefits schedules and any other supporting documents deemed necessary by the city finance committee.

545—9.5(384) Reimbursement percentage. The amount of reimbursement shall be determined upon the length of service of the resigned officer after completion of law enforcement training as provided by statute.

545—9.6(384) Payment. Funds available for reimbursement will first be applied to approved claims for minimum law enforcement officer training required under Iowa Code chapter 80B. If the proceeds of the fund are insufficient to reimburse the total amount of the approved claims made during the year, the reimbursements will be prorated. Any remaining funds will be applied to approved claims for advanced law enforcement training on a pro rata basis.

545—9.7(384) Officer rehired. In the event a resigned officer is rehired by the city or county within one year from the date of resignation, the total costs reimbursed to the city or county for law enforcement training of that officer shall be refunded to the law enforcement officer training reimbursement funds.

The reimbursement for training costs shall be refunded within 90 days of the date of rehire and shall be accompanied by a letter of explanation.

545—9.8(384) Decision appealed. A city or county may appeal a reimbursement decision by the director of the department of management to the city finance committee. The appeal must be submitted in writing within 60 days from the date of notification of a decision from the director. Appeals shall be filed with the City Finance Committee, Department of Management, State Capitol, Des Moines, Iowa 50319.

These rules are intended to implement Iowa Code section 384.15.

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CHAPTER 10
TAX RATE SUSPENSION APPEAL

545—10.1(24) Decision appealed. A city may appeal a tax rate suspension decision by the director of the department of management to the city finance committee. The appeal must be submitted in writing no later than February 1 to the City Finance Committee, Department of Management, State Capitol Building, Des Moines, Iowa 50319.

This rule is intended to implement Iowa Code section 24.48.

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