

**Public Records Policy of the City of Van Meter
(adopted November 2024)**

1. **Purpose.** This Public Records Policy defines the procedures and fees associated with handling open record requests made to the City of Van Meter.
2. **Statement of Policy.** The purpose of the policy is to facilitate board access to public records. The City of Van Meter is committed to the policy set forth in the Iowa Code Chapter 22 as amended. City staff shall cooperate with members of the public in implementing the provisions of that chapter.
3. **Background.** The City of Van Meter is subject to Iowa's Open Meetings rules and regulations (Code of Iowa – Chapter 21 Official Meetings Open to Public) and Iowa's Open Records rules and regulations (Code of Iowa – Chapter 22 Examination of Public Records). "Public Records" are defined by the Code of Iowa Chapter 22 as "all records, documents, tape or other information, stored or preserved in any medium, of or belonging to this state or any county, city, township, school corporation, political subdivision, non-profit corporation other than a fair conducting a fair event as provided in Chapter 174, whose facilities or indebtedness are supported in whole or in part with property tax revenue and which is licensed to conduct pari-mutuel wagering pursuant to Chapter 99D, or tax-supported district in this state, or any branch, department, board, bureau, commission, council or committee of any of the foregoing. "Public Records" also included all records relating to the investment of public funds including but not limited to investment policies, instructions, trading orders, or contracts, whether in the custody of a public body responsible for the public funds or a fiduciary or other third party.
4. **Custodian.** For the purposes of this policy, "Custodian" means the person lawfully delegated by the City to act for the City in implementing Iowa Code Chapter 22. As designated in Resolution #2024-104 the Custodians are:

Police Chief – Police Department

Fire Chief – Fire Department including EMS

Library Director – Public Library

City Clerk – All departments not already designated

5. **Location of Record.** A request for access to a record shall be directed to the custodian as defined in Section 4 of this policy. Current email addresses for each Custodian shall be listed at www.vanmeteria.gov. Records of the Police Department shall be located at the Police Station. Records of the Fire or EMS Department shall be located at the Fire Station. Records of the Library shall be located at the Library. Records of a City board or commission shall be located at City Hall unless the record pertains to the Library Board of Trustees. Records pertaining to the Library Board of Trustees shall be located at the Library. If the location of the record is unknown by the requestor, the request shall be directed to info@vanmeteria.gov.
6. **Requests for Access to Public Records.** Requests for access to public records shall be submitted via email listed on www.vanmeteria.gov or by submission of the Public Record Request form on the City's website to the lawful custodian as defined in Section 4. Requests may also be made in writing, in person during normal business hours, by telephone or by City managed social media. The request should identify the particular records by name or description to facilitate the

location of the record. A person shall not be required to explain why the record is being requested.

If possible, the requestor should use the City's Records Request Form available at www.vanmeteria.gov and the Van Meter City Hall.

7. **Response.** A public records request shall be acknowledged in writing, where contact information has been provided, within two (2) business days after receipt by the Custodian. The acknowledgement shall contain the name and contact information of the person responsible for processing the records request.

Access to a public record shall be provided promptly upon request unless the size or nature of the request makes prompt access infeasible. Unless there are unusual circumstances, access to the public record shall be provided within ten (10) business days from the date the request is received by the Custodian. If the size of the request requires time for compliance, the Custodian shall comply with the request within twenty (20) calendar days, unless infeasible.

Access to a record may be delayed for one of the purposes authorized in Chapter 22 of the Iowa Code. The Custodian shall provide immediate notice to the requestor of the reason for any delay in access as well as an estimate of the length of the delay.

Please be aware that requests for public records are themselves a public record. This means that the requester's name, request and documents provided are all subject to public disclosure. Additionally, all requests (including in person requests) are logged by the Custodian. The request log will be provided to the City Council on a monthly basis.

8. **Denial.** The Custodian may deny access to the record only if the denial is permissible under Chapter 22 of the Iowa Code (as amended), is a confidential record, or if disclosure is prohibited by a court order or other applicable law.

9. **Confidential Records.**

- a. **Basis.** A record may be treated as confidential and be withheld from examination only to the extent as allowed by Chapter 22 of the Iowa (as amended), other applicable law, or a court order. The City Attorney may review documents to determine if there are confidential records included. Review by the City Attorney may result in a fee charged to the requestor as addressed in the Public Records Policy.
- b. **Access to Confidential Records.** Under Chapter 22 of the Iowa Code (as amended) or other applicable law, the Custodian may disclose certain confidential records to one or more members of the public only if ordered by a court of law, by the lawful custodian of the records, or by another person duly authorized to release such information. If the Custodian permits examination and copying of a confidential record, the following procedures apply in addition to those specified for request for access.
 - i. **Proof of Identity.** The Custodian may require the person requesting the confidential record to provide proof of identity or authorization to secure access.
 - ii. **Requests.** The Custodian may require a written request for an examination of a confidential record. The Custodian may require the requestor to sign a certified

a. Types of Fees

- i. All legal, reasonable expenses for the examination or copying of records shall be paid by the party requesting the records.
- ii. Two types of fees may be charged in responding to a public records request – a Labor Service Fee and a Copy Fee.

1. Labor Service Fee – Supervising Examination of and Copying of Records

- a. Parties requesting records will be charged for the personnel expenses related to the search, retrieval, preparation, copying, and supervision of examination of records. Requestors will be charged the effective hourly wage rate of the staff member(s) for requests which take more than 30 minutes to fulfill in any one month. The wage rate shall be prorated to the nearest 15 minutes. Hourly wage rates are set annually by the City’s “salary resolution”. The Labor Service Fee rate does not include the cost of employee benefits. A requester shall not have the right to request that particular employees perform the services.

2. Copy Fee

- a. Parties will be charged the applicable fees for requested photocopies and electronic copies. A copy of the fee schedule for copies of records is attached.

b. Fee Schedule

- i. Photocopies: \$0.25 per page for black and white copies
\$0.50 per page for color copies.
- ii. Documents provided on a USB flash drive: \$10.00/drive
- iii. GIS File: \$10.00/file
- iv. Postage: Actual cost of postage, if the City is requested to mail copies of records, records will be sent via certified mail.
- v. Routinely prepared or bound reports: Actual cost to produce.
- vi. Special requests for records mapping requests, and other non-traditional methods of providing information may incur additional costs.

c. Additional Costs

- i. The City reserves the right to amend the fee schedule at any time in the event of unanticipated expenses. The City will contact the requestor in advance of undertaking activities that would result in an additional charge.
- ii. Any costs not covered by the above fee schedule shall be charged to the requestor based on the actual costs incurred by the City, including but not limited to all amounts charged to the City by third parties in connection with the fulfillment of any records request. This may include expenses of legal services utilized for the review and/or redaction of legally protected confidential information.

15. Amendments. The City of Van Meter reserves the right to amend the fees and/or the Public Request Records Request form upon review and approval of the City Council of the City of Van Meter.