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HUMAN RESOURCES

To: Gregg Mandsager, City Administrator
From: Stephanie Romagnoli, Human Resources Manager
Date: January 17, 2012
Re: Policy for Examination or Copying of Records

Attached to this memo is a policy for City Council's consideration providing a policy for examination or copying of records. This policy was drafted at the recommendation of City Attorney Matt Brick to provide a consistent mechanism for the community to access and copy public records. The policy puts in writing the City's current practice. In addition, the attached form provides the ability to more accurately keep track of requests and ensure the requests are completed in a timely manner.

This policy, as provided here, is in compliance with state requirements and has been reviewed by City Attorney Matt Brick.

At this time, I am requesting approval of this updated policy from the City Council. Please let me know if any additional information is required.

**CITY OF MUSCATINE
POLICY FOR EXAMINATION OR COPYING OF RECORDS**

GENERAL POLICY:

It is the policy of the City of Muscatine to meet all reasonable requests for information and documents within the constraints of Iowa Code Chapter 22. The purpose of this policy is to fix fees for public examination and photocopying.

CUSTODIAN OF RECORDS:

While the overall custodian of the City's records is the City Administrator, a request to view or a request for a copy of a public record shall be directed to the custodian of the public records for the applicable City department. They are as follows:

<i>Department:</i>	<i>Custodian:</i>	<i>Location</i>
Fire Department	Fire Chief	312 E 5 th Street
Police Department	Police Chief	312 E 5 th Street
Public Works	Director of Public Works	1459 Washington Street
All other City Departments	City Administrator	215 Sycamore Street

PROVISIONS:

- This policy is not intended to preclude verbal responses to routine requests for information.
- This policy applies to all municipal records except requests for police department accident reports, medical and fire reports, and fire investigation reports, which are subject to separate policies.
- If the number of photocopies does not exceed twenty-five (25) pages, or if staff time for responding to the request does not exceed thirty (30) minutes, the following fee schedule shall apply:
 - a. Fees for photocopies: **\$.25** per page for black and white copies and **\$1.00** per page for color copies.
 - b. Fee for records provided on a CD is \$10.00.
- 4. If the number of pages to be copied exceeds twenty-five (25) pages, or if the staff time involved in providing the records exceeds thirty (30) minutes, the following additional fee schedule shall apply:
 - Hourly rate for clerical time needed to make photocopies or copying to a CD - **\$24.00** (prorated to the nearest fifteen (15) minutes)

- Hourly rate for professional staff time - Effective hourly rate of staff member for time needed to produce or review the documents (prorated to the nearest fifteen (15) minutes)
 - Routinely prepared or bound reports - Actual cost to produce
 - Special requests for records mapping requests, and other non-traditional methods of providing information may incur additional costs.
5. The person requesting the information shall be provided a bill, which shall be paid before the photocopies will be released. If the cost of responding to a request is estimated to exceed \$10.00, the person requesting the records will be provided with an estimate of costs, which the person will need to agree to pay prior to the copies being made. If the cost of responding to a request exceeds \$50, the person requesting the records will need to pay the estimated costs prior to the copies being made.
 6. The custodian of the requested records will attempt to fill record requests in a timely manner, not to exceed fourteen (14) working days, unless an issue arising concerning the disclosure of records exempt from Chapter 22. These records include, but are not limited to: medical records, personnel or employee-related files, documents concerning litigation or claims, and/or names and addresses of complainants.
 7. All open records requests that are responded to by electronic media shall be provided in a format that prevents the document from being altered.

**CITY OF MUSCATINE
REQUEST FORM TO EXAMINE OR COPY RECORDS**

Description of Record Requested:

Requester and Record Identification*

Name of Requester	Address	Telephone No.
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Signature of Requester*

If the cost of responding to a request is estimated to exceed \$10.00, the person requesting the records will be provided with an estimate of costs, which the person will need to agree to pay prior to the copies being made. If the cost of responding to a request exceeds \$50, the person requesting the records will need to pay the estimated costs prior to the copies being made.

*This information is not required but will be used to provide a response and/or in the event clarification is needed.

**CITY OF MUSCATINE
RESPONSE TO REQUEST TO EXAMINE OR COPY RECORDS**

Date of Response: _____

____ Your request has been received and is being processed. The City will respond within fourteen (14) days.

____ The estimated cost of your request is \$ _____.
If less than \$50, please sign below if you agree to pay these costs.
If more than \$50, the above amount must be paid prior to copies being made.

Signature

Date

____ The response to your request is attached. The cost is \$ ____.

____ The City has located a response to your request. For a copy of said response, please submit a fee of \$ ____.

____ The record you have requested is exempt from disclosure under Iowa law. Please see the response below.

____ The City does not have any documents responsive to your request.

____ The City needs additional information to respond to your request. Please provide the following:

For City Use Only

Request received by: _____

On: _____

Action assigned to: _____

Response due date: _____

Fee Amount due: \$ _____

Date fee received: _____