



City of Waterloo Public Records Request Policy

Statement of Policy

This policy is intended to implement the provisions of Iowa Code Chapter 22 by assisting citizens requesting examination of public records and to employees in fulfilling those requests. The goal is to facilitate broad access to public records and assure that responses to open records requests are made appropriately and timely.

Parameters

The City of Waterloo is committed to the concept of open government exemplified by Iowa Code Chapter 22. Records deemed confidential pursuant to Iowa Code Section 22.7, or other applicable statutes, are not required to be released in response to a request. In addition, the City of Waterloo is not required to permit access to data processing software developed by the City or a non-government body and used by the City. Other portions of federal law may govern access to public records. Any changes to Iowa Code Chapter 22 shall supersede provisions of this policy.

City Website

Many records (i.e., reports, budget information, agendas, minutes, resolutions, and ordinances) are in the public domain and can be viewed and printed from the City's website at www.cityofwaterlooiowa.com without submitting a request to access the records. Computers with internet access are available at the Waterloo Public Library, located at 415 Commercial Street.

Custodian of Records

For the purposes of this policy, Custodian means the person lawfully designated by the City to act for the City in implementing Iowa Code Chapter 22. The Custodians are as follows:

<u>Department</u>	<u>Custodian</u>	<u>Location</u>
Police Department	Records Manager	715 Mulberry Street
All other City Departments	City Clerk	715 Mulberry Street

The Custodian will coordinate the response to all requests and may designate an employee to assist with completing a request. All employees and elected officials must immediately direct all public records requests to the appropriate Custodian.

Making a Request for Public Records

Citizens may submit requests for access to public records in any format but are encouraged make requests in writing using the City of Waterloo Public Records Request form (Exhibit B). Unless otherwise required by law, anyone may make a request for public records without providing identification, reason, or motive for the request. The custodian shall not require the physical presence of a person requesting or receiving a copy of a public record.

Availability of Records

Public records will be available for public examination and/or copying during customary office hours, which are 8:00 a.m. to 5:00 p.m. Monday through Friday, excluding designated holidays.

Information Needed for Processing an Open Records Request

The Custodian must know the full extent of the request and how to contact the Requestor in order to process a records request in a timely manner. Descriptions of the records sought by the Requestor must be specific. Requestors should note that the City of Waterloo is not required to generate records that do not already exist. The Custodian shall determine whether the request is routine or non-routine based on the criteria listed below.

Responding to Routine Records Request

Records requests requiring up to fifteen minutes of total work time to fulfill the request shall be considered routine. Fees for routine request are limited to the actual cost of record duplication. All fees must be paid prior to receiving the requested record.

Responding to Non-Routine Records Request

Records requests estimated to take longer than fifteen minutes to complete shall be considered non-routine. The first fifteen minutes of employee labor required to fulfill the request will not be waived. The Custodian shall make a good faith estimate of the time and cost, including employee labor, to retrieve and copy the requested records. An estimate of the cost shall be made in writing and provided to the Requestor prior to commencing work on the request.

Requests for employee or elected official emails are considered non-routine. When making a request for emails, the Requestor is encouraged to include a date range, topics to search in emails, and note if sent and/or received emails of an account are requested. Emails that meet the search parameters will be provided to the Requestor as a photocopy.

Time Allotted for Confidential Records and Research

Iowa Code allows for a delay of twenty calendar days if it is necessary to consult with legal counsel regarding whether a record is confidential; however, the delay should normally take no longer than ten business days. If the delay is expected to go beyond 10 business days, this will be communicated to the Requestor.

If research is required, immediate access to records may be affected by good faith efforts to identify and locate the correct records, or determine whether the request seeks disclosure of confidential records. The requesting party will be notified by the Custodian if any delays are experienced or expected.

Redaction of a Record

The Custodian may redact from a record any information that is confidential under state or federal law. The reason for a redaction will be noted by the Custodian in a letter to the Requestor.

Formatting Records

A record will be made available in the format in which it is readily accessible to the City, provided the format is usable with commonly available data processing or database management software. If the City chooses to provide the record in a different format for the requestor, the City may charge the reasonable costs of any required processing, programming, or other work required to produce the public record in the specific format in addition to any other actual costs allowed.

Security of Record

No person, with exception of the Custodian, may search or remove any record from the City of Waterloo's files or remove any record from city property. Examination of records will be supervised by the Custodian or a designee.

Calculation of Fees and Amounts Due

The fee for document retrieval, review, and duplication will be calculated based on the following criteria:

- A. The cost to duplicate city records will be calculated based on fees set forth in the Schedule of Fees (Exhibit A).
- B. The Requestor will not be billed for the first fifteen minutes of labor for document retrieval and review services for routine requests.
- C. The first fifteen minutes of employee labor required to fulfill a non-routine request will not be waived.
- D. The wage of the Custodian, designee, or any other employee used in document location, identification, and duplication shall be itemized and billed in fifteen-minute increments.
- E. The wage of the Custodian, designee, or any other employee reviewing the documents for relevance or redactions due to confidentiality will be billed in fifteen-minute increments.
- F. The time the Custodian, designee, or any other employee supervises the requester while viewing documents will be billed in fifteen-minute increments.
- G. Fifty percent of the estimated cost of a request shall be payable prior to commencing work on a request. The Custodian must receive full payment prior to releasing the requested documents.
- H. The cost to copy records to a DVD/CD will be calculated as the cost of the document plus the cost of the CD/DVD. Labor charges, if applicable, shall be in addition to this cost.
- I. City Council Members shall receive one copy of city records at no cost.

Exhibit A
Schedule of Fees

The Schedule of fees constitutes the actual cost of the reproduction of a city record. Labor charges may be applied in addition to the fees listed below.

<u>Record Type</u>	<u>Fee</u>	<u>Record Type</u>	<u>Fee</u>
<i>Photocopy</i>		<i>Engineering Digital Terrain Models</i>	
8.5x11	\$0.25	DTMS/Contours of Entire City	\$30.00
8.5x14	\$0.25		
		<i>Planning Department</i>	
		Zoning Ordinance	\$10.00
CD/DVD of copied records	\$10.00	Subdivision Ordinance	\$10.00
		Black Hawk County Zoning & Subdivision Ordinance	\$15.00
		Comprehensive Plan	\$25.00
<i>Engineering Map Fees</i>		Historic Preservation Plan	\$15.00
800 Scale Base Map	\$20.00	Zoning Map	\$15.00
1320 Scale Base Map	\$10.00	Highway 63 Plan	\$10.00
Spiral-bound Map Booklet	\$10.00	Downtown Master Plan	\$35.00
Waterloo Zoning Map	\$15.00	Capital Improvements Plan	\$5.00
Ward and Precinct Map	\$10.00	Rath Plan	\$5.00
Single Ward Map (11"x17")	\$2.00	Future Land Use Map	\$1.00
Laser prints of aerials (8.5x11)	\$5.00		
Laser prints of aerials (11x17)	\$10.00		
Plotter print of aerials	\$20.00	<i>Traffic Department</i>	
Ward and Precinct Map	\$8.00	Traffic camera footage CD/DVD	\$10.00
County Map (24"x36")	\$2.50		
<i>Engineering Microfilm Fees</i>			
35mm (18x25)	\$1.50		
16mm (8.5x11)	\$0.75		
<i>Engineering Blueprint Copies</i>			
Cut Sheets (22x34 or 24x36)	\$2.50		
County Map (24x36)	\$2.50		
Topographical Map (24x36-Developer)	\$10.00		
Topographical Map (24x36-Others)	\$2.50		



Exhibit B

City of Waterloo Public Records Request Form

Requestor Information

Name: _____ Date: _____

Mailing Address: _____

Phone Number: _____ Phone Number: _____

Email Address: _____

Request

Please be as specific as possible; include names, dates, document type, topic, resolution and ordinance numbers, project names, sent and/or received emails, key search words, etc.

Iowa Code Chapter 22 gives every citizen the right to examine public records and to copy those records unless the record is exempt according to provisions of said chapter. The City of Waterloo staff should not be expected to abandon or neglect their regular public duties to comply with record requests and thus need sufficient time to make and deliver any requested information. If the requested material potentially contains confidential information or is otherwise exempt from disclosure, additional time may be required for review and possible redacting of the material. All requests will be processed in accordance with applicable procedures and rules. **Note: If a deposit is required, no work will begin on the request until a deposit of 50% of the estimated cost is received.**

FOR OFFICE USE ONLY

- 1. Date received: _____ Routine: _____ Non-routine: _____
- 2. Request received via: ___ Fax ___ Mail ___ Email ___ In Person ___ Telephone
- 3. Fulfilled via: ___ Copies ___ Personal examination ___ CD/DVD ___ Electronic copy
- 4. List employee assigned to request, role, wage, and time worked: _____

- 5. Total request amount due: \$ _____ 6. Deposit amount (If applicable): \$ _____
- 7. Date deposit received, amount, and check # : _____ \$ _____ # _____
- 8. Date total paid, amount, and check # : _____ \$ _____ # _____
- 9. Contact with requestor:

Date	Notes

MAINTAIN AN ELECTRONIC COPY OF NON-ROUTINE RECORDS RELEASED TO REQUESTOR