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CITY ADMINISTRATOR'S OFFICE MEMO
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319-393-1515 ext.523

To: Mayor and City Council

From: City Administrator, Kim Downs

Date: December 14, 2017

RE: **Disclosure of Private Customer Records**

In this year's legislative session, the Iowa Public Information Board determined that Iowa Code §388.9A holds in abeyance application to the provisions of Iowa Code Chapter-Examination of Public Records which would otherwise be subject to inspection and copied, and as to those records, the Iowa Code Chapter §22.2 right to examine a copy is suspended at the discretion of the utility.

At this time, I would ask city council to allow all private customer records to be maintained as private records and the right to examine and copy private customer records to be suspended. This policy will give us the ability to limit the request we receive from solicitors for names and mailing addresses but would not disallow our internal uses.

Water Superintendent Mary Recker will ask the Water Board to take the same action at their December 19th meeting as well.

Thank you for your consideration.

Kim

DRAFT

RESOLUTION NO. 17-
City Council

RESOLUTION SETTING POLICY REGARDING THE DISCLOSURE OF PRIVATE CUSTOMER RECORDS

WHEREAS, the City of Hiawatha desires to protect its citizens' and customers' privacy, and

WHEREAS, Iowa Code Section 388.9A (2013) provides, "Notwithstanding Section 22.2, Subsection 1 of the Code of Iowa, public records of a city utility system, or a city enterprise or combined city enterprise as defined in Section 384.80, which shall not be examined or copied as of right, include private customer information. Except as required pursuant to Chapter 476 Public Utility Regulations, "private customer information" includes information identifying a specific customer and any record of a customer account, including internet-based customer account information," and

WHEREAS, the Iowa Public Information Board has determined that Iowa Code Section 388.9A holds in abeyance application to the provisions of Iowa Code Chapter-Examination of Public Records which would otherwise be subject to inspection and copied, and as to those records, the Iowa Code Chapter Section 22.2 Right to Examine a copy is suspended at the discretion of the utility, and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA:

1.01 It shall be the policy of the City of Hiawatha, Iowa that all private customer records shall be maintained as private records and the right to examine and copy private customer records pursuant to Iowa Code Chapter 22 is suspended. Private customer records and information contained therein shall not be disclosed to any person or party other than the customer or as provide in Section 1.02 of this resolution.

1.02 Third-party requests for disclosure of private customer records for the purpose of payment of an account will be reviewed on a case by case basis.

AYES:
NAYS:
ABSENT:

PASSED AND APPROVED this 20th day of December, 2017.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kelly Kornegor, City Clerk