



## City Administrator & Staff Update

2023.07.14

- **Water Tower Closeout:** The final pay app and closeout will be on next week's agenda. You will see a \$102,000 disincentive for the project. This will reduce the SRF loan amount and not be paid out directly to the city. There is an \$11,400 change order deduct for dirt work to be performed by the city and seeding to be performed by Reid Landscaping (\$8600). Tentative plan is to close out the project and have a local contract do a fall seeding which is the ideal time for best growth in the coming spring.
- **New Laws:** Attached is the New Laws of Interest prepared by the Iowa League from the more recent legislative session.
- **Jet Vac:** The winning bid for the old sewer jet vac was \$40,000. Turned out better than expected!
- **TIF:** I am working on both the housing and the economic development TIFs starting with the questionnaire that we use with our bond counsel to kick off discussions and a draft agreement.
- **Iowa Thriving Communities:** The application is being wrapped up and should be submitted in advance of the 7/17 deadline.
- **Pool Umbrellas:** We are waiting on sample samples before ordering the umbrellas to ensure we get the closest match.
- **Trail:** We reviewed the Check Plans with our engineer and answered a few questions that they had. We asked them to take a look at concrete (PCC) in lieu of asphalt (HMA) for the mall section as it could be a cost savings (less subcontractors, asphalt higher right now, etc.). It could be the base option, or we may include it as a bid alternated. November is still the goal to take the project to bid, but it may end up in December based on timing.
- **Borghi:** Working with Impact 7G and EPA to wrap up testing related to Borghi. Borghi will be invoiced immediately upon receipt and EPA go ahead to release data.
- **Vacation:** Quick reminder that I will be on vacation next week.

### IT (Newberry)

- This week, I received the replacement for Katie Willeford's computer, which had factory defects. I will start working on installing all the software I need on it next week. The contract for Net3 that you signed has been submitted to them, so our next bill should be lower.

- Furthermore, I received the wind screens for Councilman Johnson's microphone and replaced them in the council chambers. I also had to order the parts needed to finish the new squad car this week. This included activating new service with Verizon and obtaining a SIM card, ordering a scanner for L-Tron (which was budgeted), and a GPS module. I will install all of these components when the car comes back from getting the leak fixed.
- In an effort to maintain the website's efficiency, I deleted as much stale data as possible. If you happen to notice any that I missed, please let me know.
- I tried to obtain website analytic updates for you; however, it says that the property has stopped reporting data, so I will need to contact Civic Plus to resolve this issue.
- I have received the license information for Barracuda, so when our current license expires, I will set it up. I don't want to do it early as I don't want to get any closer to July 1 by implementing the keys prematurely. If you have any questions, please let me know.

#### **Police (Logan)**

- New squad car is going back to Karl Chevrolet tomorrow. They have a driver coming down to pick it up, Brad located a leak in it today after the rain that we had this morning. The vehicle is currently stored at the streets department.
- Had an incident this week, but I sent out a press release with all the information.
- Found the contact information for Stanard & Associates, will be sending them the list of Officers I need to test on.
- Had a meeting regarding a program/tool with Flex. It should be able to provide us with some statics and heat maps of different crimes. We are working on getting it set up in the next few weeks.

#### **Building/Fire (Ryan)**

- Nuisance: Notice sent out regarding junk and vehicles in yard at 525 Broadway / Brush/Trees at 121 Summer / Property maintenance at 638 Broadway.
- Building Permits and Licenses: Driveway/patio permit issued / fence permit / driveway permit.
- Code Review - Pharmacy rafters going in / Menards – most steel done, working on groundwork for paving / Menards – worked through water supply for fire protection – unable to go with two options and worked out a solution – will be putting a door in the gate to allow supply hose to pass through / Caught GRMC putting in splash pad without permit.
- Liquor License Inspection:
- Other Building:
- iWorQ training: None this week due to their vacation schedule.
- Fire Dept –
  - Tower 1's tires are at critical replacement point. 3 bald tires and steer tires are cupping.

- Fire call to 713 Layne Drive, Hope Haven home, for dishwasher smoking. Found to be electrical issue / power was isolated and turned back over to residents. Owner advised to have electrician and appliance repairman handle matter.
- State did EMS service inspection. We passed with only minor issue which was immediately corrected (had couple members who have left still on state reporting site).

### **City Clerk (Fry)**

Deputy City Clerk/Utility Billing Clerk: Starting first year of Clerk School and has applied to attend the Leadership Academy.

### **Finance (Moore)**

This week I received the list from the auditors on what they are going to need for the upcoming audit on August 2 & 3. I will be working on this consistently until they come. I need to review everything to make sure that everything is accurate and ready for them.

### **Public Works (Brissey)**

- Water lab
- Sewer lab
- Lift station rounds.
- Parks and Broadway trash and recycling
- Pool maintenance
- Locates.
- Service trucks and Squad cars
- Sign maintenance
- Hauling brush
- Mowing parks, city, properties, and medians.
- Backhoe and dump truck training for new higher.
- Park cleans up and maintenance and pool maintenance.
- Fye Excavation has Spring Street water main finished.
- Trying to get Mt Pleasant over lay closed out and water tower project closed out.
- Jetco working on water tower communication.

# New Laws of Interest to Cities 2023 Legislative Session



## Reminder:

The text of each bill is accessible from the General Assembly's website:  
[www.legis.iowa.gov](http://www.legis.iowa.gov)

The Iowa Legislature adjourned sine die on May 4, just a few days after the 110th calendar day, the expected end of session. This legislative session was the first of the 90th General Assembly, which will continue in 2024.

This year's themes largely revolved around education, tort reform and shrinking government. The trend from the last few years of passing "historic" tax bills continued this year by focusing on property taxes. Other topics that saw the Governor's signature included public safety changes, updates to the section of the *Code of Iowa* dealing with technology and reducing the bureaucracy of the state government.

Senate File 514, which made numerous changes to the organization and structure of state agencies, was a top priority for Governor Reynolds. In nearly 1,600 pages of legislation, the number of cabinet-level agencies was reduced from 37 to 16. The bill also made many changes on which agency will handle specific responsibilities. For instance, the Department of Inspection and Appeals will become the Department of Inspection, Appeals, and Licensing and handle licensing and regulation matters such as fire code related activities formerly held by the fire marshal and workers' compensation division formerly held by the Department of Workforce Development.

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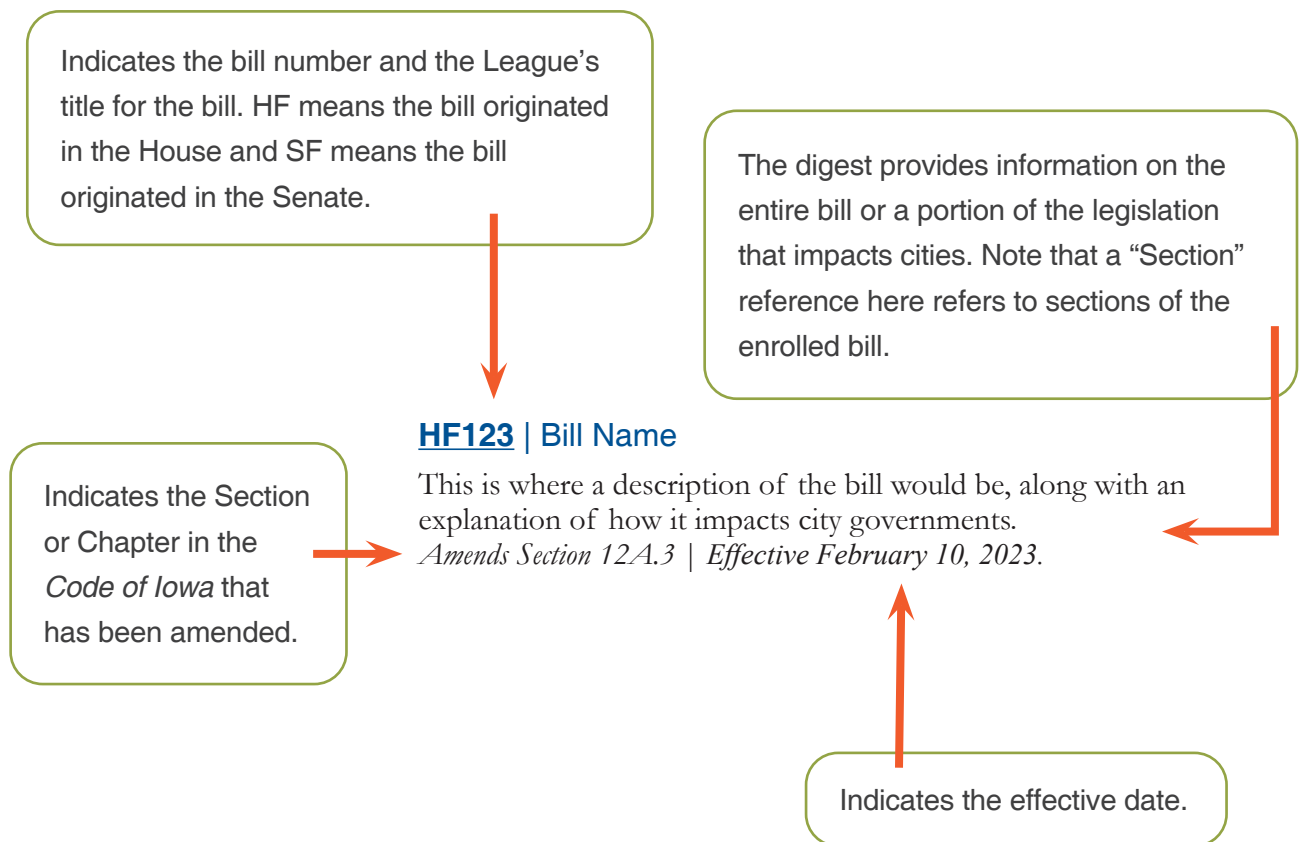
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## Reader's Guide to New Laws Summaries

This Special Report outlines legislation passed during the 2023 legislative session that affects cities and is categorized in subject areas for easier reading. The sample entry below explains what type of information this report contains.

*Note: The report is intended as a reference guide to new laws that may interest your community. This report should not act as a substitute for the actual final enrolled legislation, nor should it substitute for advice from an attorney.*



## Legislative Values

Legislative Values are more than just annual priorities. They are intended to represent what cities and the officials that govern them need, want, and expect to meet the challenges of their communities. Developed over time, they are reviewed before each General Assembly, which span two legislative sessions. The values below were reviewed by the Legislative Policy Committee, ratified by the Executive Board on August 11, 2022, then presented to and approved by League members at the League's Annual Conference on September 28, 2022.

### Cities across the state value...

#### Local Control

Residents benefit from Home Rule: the Constitutional right to make local decisions at the local level - closest to those affected and tailored to fit unique conditions, needs, and concerns.

#### Public Safety

Safety is essential to the health, stability, and vitality of Iowa. Cities must have the human and economic resources, tools, and technology to provide public safety services for their communities.

#### Infrastructure

Cities of all sizes require the resources to meet infrastructure, technology, and human needs necessary to transport, connect, and thrive.

#### Financial Stability

Cities need financial stability to provide predictability and transparency for residents. This requires that the State maintain its commitment to hold cities harmless for state policies, not pass unfunded mandates, and ensure that local governments have diversified revenue options.

#### Economic Development

The Iowa League of Cities, in partnership with the State of Iowa, supports the use of various tools and funding to promote quality of life, community vitality, economic development, and to address housing needs. Maintaining the flexibility of economic development tools is essential to cities of all sizes.

Like our membership, the Iowa League of Cities is a non-partisan, service oriented organization that does not participate in elections, make campaign contributions, or have a political action committee (PAC).



## Legislation Passed In 2023

### Technology

#### **HF 143** | Prohibition of Ransomware Attack

Creates definitions and prohibitions around ransomware with a specific prohibition against the use of ransomware against a city, city utility or city service.

*Amends Chapter 715 | Effective July 1, 2023*

#### **HF 250** | Franchise of Video Services

States that video programming provided by direct-to-home satellite services are not considered video services as defined in the *Code of Iowa* Chapter 477A

*Amends Section 477A.1 | Effective May 28, 2023*

### Miscellaneous

#### **HF 337** | Refrigerants in Building Codes

Preempts building codes from restricting refrigerants deemed acceptable pursuant to Federal Safe Alternative Policy, U.S.C. §7671K.

*Adds Section 103A.24 | Effective July 1, 2023*

#### **SF 399** | Regulation of Spray Pads

Defines a spray pad as an area that has a water play feature that sprays water onto people, has no standing water, and recirculates the water back onto people rather than discarding water after it touches people. Requires spray pads to follow *Code of Iowa* Chapter 135I.

*Amends Chapter 135I | Effective May 3, 2023*

#### **HF 478** | Alcohol License Permit Changes

Makes changes to the definition of a manufacturer in regards to holding a special class A permit. Clarifies that one manufacturer can use the equipment and space of another manufacturer, given that an alternating proprietorship arrangement has been approved by the Alcohol and Tobacco Tax and Trade Bureau of the United States Department of Treasury .

*Amends Sections 123.30 and 123.130 | Effective July 1, 2023*

### Preemption

#### **HF 202** | Retail Sale of Fireworks

Updates the Health, Safety, and Welfare Chapter of the *Code of Iowa* to stipulate that the retail sale of fireworks shall be done in accordance with the National Fire Protection Association Standard, 2006 edition.

*Amends Section 727.2 | Effective March 22, 2023*

### **HF 605 | Energy Benchmarking Preemption**

Prohibits a city and county from benchmarking, which is defined in the bill as requiring a property to decrease its average energy usage in comparison to a similarly situated property.

*Amends Section 414.1 | Effective July 1, 2023*

### **SF 561 | Home and Community-based Services Building Code**

Prevents a city from classifying a home and community-based service waiver recipient property as a residential group R-3 for the purpose of enforcing sprinkler system provisions specified in the international building or residential code.

*Amends Sections 335.34 and 414.32 | Effective June 1, 2023*

## **Public Safety**

### **SF 329 | Civil Employee Leave of Absence in Military Code**

Alters the definition of a workday for civil employees on military leave to include leaves for 24 continuous hours, regardless of whether this extends into two calendar days.

*Amends Section 29A.28 | Effective July 1, 2023*

### **HF 603 | Volunteer Public Safety Tire Purchase**

Authorizes a municipality to grant permission to volunteer fire and emergency medical service providers to purchase up to four vehicle tires under a contract or negotiated rate that the city utilizes to purchase tires every three years. The volunteer must pay for the tires.

*Creates Section 100B.46 | Effective July 1, 2023*

### **HF 631 | Brady-Giglio List Alterations**

Strikes the repeal of protections from the Brady-Giglio list in *Code of Iowa* Section 80F.1. Requires a prosecuting agency to keep confidential an officer's personnel file, medical records, and statements on complaints.

*Amends Section 80F.1 | Effective July 1, 2023*

### **SF 183 | Maximum Age of Volunteer Peace Officers**

Exempts reserve peace officers and volunteer firefighters from the maximum retirement age that is dictated in *Code of Iowa* Section 362.10.

*Amends Section 362.10 | Effective May 3 2023*

## **Revenue, Taxes, Credits, Fees**

### **HF 718 | Property Tax Omnibus**

Makes large changes to city and county budgeting by consolidating and limiting levies, altering property tax credit eligibility, increasing General Corporate Purpose bonding thresholds and more. Visit the League's website for updated information.

*Creates and amends numerous chapters, including 384,425,404,24,39 and more | Multiple effective dates | Editor's note: HF 718 is reviewed in detail in Appendix A*



**SF 418 | Restrictions on Investment of Public Funds**

Prevents public funds, which is defined as IPERS, MFPRSI, Treasurer of State, State Board of Regents, and judicial retirement system, from investing in prohibited companies, which is defined as a business owned or controlled by the Chinese government, Chinese military, or businesses on one of several federal restricted lists outlined in the newly created Chapter 12K.

*Amends Section 12.8, 12F.3 and creates Chapter 12K | Effective July 1, 2023*

**SF 445 | Local Board of Review Protests**

Allows a 10-member board of review for contesting assessment and valuations of property to split into three-member subgroups to hear protests and make recommendations to the full board.

*Amends Section 441.31 | Effective April 4, 2023*

**SF 181 | Re-calculation of the Residential Rollback**

Changes the formula used to calculate the residential rollback by removing mobile home parks, manufactured housing, land lease communities, assisted living facilities, and commercial properties used for residential living that contains three or more dwelling units. This change altered the taxable values for budgets certified in 2023.

*Amends Section 441.21 | Effective January 1, 2023*

**HF 318 | Extension of Filing for Property Tax Credit**

Changes the date that a property taxpayer can file for an extension in the event that the payer is ill, disabled, absent, or for good cause as deemed by the county treasurer from September 30 of the same calendar year to March 31 in the year taxes are due.

*Amends Sections 425.20 and 435.22 | Effective May 26, 2023*

**HF 270 | Appeal of Property Tax Assessment for Disaster**

Allows an informal assessment review to be requested until May 25 if the property is covered by a federal or state declaration of emergency between March 1 and May 20 in the year of assessment.

*Amends Sections 441.30 and 441.37 | Effective July 1, 2023*

**HF 590 | Flood Mitigation Fund Repeal Date**

Strikes the repeal date for the allocation of “Flying our Colors” license plate revenues to the flood mitigation funds pursuant to *Code of Iowa* Section 418.10.

*Amends Section 321.34 | Effective July 1, 2023*

**SF 565 | Department of Revenue Omnibus**

Division 10 clarifies which forms of pensions or annuities are considered “income” in regards to the eligibility of the Elderly and Disabled Property Tax Credit. This may increase the number of individuals eligible who qualify though this language is intended to reflect current practices rather than change policy.

*Amends Section 425.17 | Effective June 1, 2023*

## **Appendix A: Analysis of HF 718**

### **Division 2:**

#### **Consolidation of levies and creation of a newly-defined adjusted city general fund levy (ACGFL)**

##### **Levy limitation based on property tax valuation growth “tiers”**

Division 2 creates a new combined ‘adjusted city general fund levy’ (ACGFL) that combines several current levies into one. This new ACGFL is then subject to potential limitation or reduction for Fiscal Years 25-28, depending upon the city’s non-TIF taxable valuation growth compared to the previous year. Beginning in FY 29, cities retain the new ACGFL levy, but all cities go to an \$8.10 ACGFL maximum going forward.

*(Note that those cities under \$8.10 in FY 28 will be allowed to go up to the \$8.10 maximum beginning in FY 29; those cities above the \$8.10 in FY 28 will be reduced to a maximum of \$8.10).*

The League anticipates that this division will have a significant financial impact. Please see the League’s website for more detail and a breakdown of impacted levies. The League will continue to update the website as more information is available.

### **Division 5:**

#### **New homestead exemption for residential property owners of age 65 or more**

Division 5 creates a new homestead exemption for property owners aged 65 and over, in addition to the current homestead credit. This additional exemption is \$3,250 for FY 25 and increases to \$6,500 beginning FY 26 and forward. There is no state reimbursement for the exemption created in this division, which will reduce taxable value for local governments.

### **Division 6:**

#### **New military service exemption expansion**

Division 6 increases the military service exemption for eligible property owners to \$4,000 beginning FY 25. The military exemption will not be funded by the state in any amount beginning FY 25 and forward. This will result in a reduction in taxable value for local governments.

### **Division 7:**

#### **Property tax abatement agreements and limits**

Division 7 requires that minimum assessment agreements for commercial properties be created and agreed upon in writing with the municipality before the project is eligible for property tax abatement under a revitalization area established under Chapter 404. This applies to revitalization areas created in FY 25 and after and for first-year exemption applications in existing revitalization areas filed on or after July 1, 2024.

In addition, Division 7 prohibits property tax abatement for the school district portion of revitalization areas for residential projects established under Chapter 404, beginning with revitalization areas created in FY 25 and after, and for first-year exemption applications in existing revitalization areas filed on or after July 1, 2024.

Cities are encouraged to consult their bond counsel on the potential impact of this provision of the legislation.

**Division 8:****Regional transit funding**

Allows the city of Des Moines to go up to 7.5% franchise fees, with any portion above 5% required to be dedicated to regional transit (DART).

**Division 9:****County auditor reports to distinguish revaluation and other additions to tax base**

Beginning with assessment year 24 (AY 24 or FY 26), annual county auditor reports must distinguish such values as revaluation or other types of addition to the value within the abstract to be provided to the Iowa Department of Management.

**Division 10:****Requires new statement to be mailed to each property owner****Changes to the budget timelines, forms, hearings and processes**

Division 10 requires that county offices mail each property taxpayer an annual statement and changes the budget process and timelines. All political subdivisions, including cities, must file a report annually by **March 15** with the Iowa Department of Management (DOM) containing the information specified in HF 718 to be included in the mailings. Then, by **March 20**, annually, the county auditor must send to each property owner or taxpayer by regular mail an individual statement containing the required information. This division moves the city's budget certification deadline to **April 30**, annually, beginning with the FY 25 budget.

Division 10 requires political subdivisions to provide notice and hold a public hearing on the proposed property tax amounts for the budget year and new taxpayer statements. This is a hearing in addition to the public hearing required to approve the annual budget and must be separate from any other meeting of the governing body.

Notice of the hearing shall also be posted on all city internet sites and social media accounts beginning on the publication date and shall be maintained with all prior year notices and copies of the statements.

This division repeals Sections 331.433A and 384.15A related to the "Max Property Tax to Levy" requirements.

**Division 13:****Single date annually for bond elections**

Division 13 requires all elections on issuing bonds or other indebtedness to be held on the first Tuesday after the first Monday in November, beginning with elections occurring on or after July 1, 2023.

**Division 14:****Bond financing and reporting requirements**

Division 14 includes a 30% increase to the limits to enter into loan agreements payable from the general fund and a 30% increase for general corporate purpose reverse referendum thresholds, beginning in FY 25.

This division also adds the requirement that an estimate of the annual increase in property taxes as the result of the bond issuance of a residential property with an actual value of \$100,000 be added to the notice of proposed action to issue a bond for an essential corporate purpose.

In addition, this division adds reporting requirements to the Annual Financial Report, beginning with the December 2025 report.