



## FINANCIAL DISCLOSURE

## 362.2 Definitions.

As used in the city code of Iowa, unless the context otherwise requires:

1. “*Administrative agency*” means an agency established by a city for any city purpose or for the administration of any city facility, as provided in chapter 392, except a board established to administer a municipal utility, a zoning commission and zoning board of adjustment, or any other agency which is controlled by state law. An administrative agency may be designated as a board, board of trustees, commission, or by another title. If an agency is advisory only, such a designation must be included in its title.
2. “*Amendment*” means a revision or repeal of an existing ordinance or code of ordinances.
3. “*Charter*” means the form of government selected by a city as provided in chapter 372.
4. “*City*” means a municipal corporation, but not including a county, township, school district, or any special-purpose district or authority. When used in relation to land area, “city” includes only the area within the city limits.
5. “*City code*” means the city code of Iowa.
6. “*City Utility*” means all or part of a waterworks, gasworks, sanitary sewage system, storm water drainage system, electric light and power plan and system, heating plant, cable communication or television system, telephone or telecommunications systems or services offered separately or combined with any system or service specified in this subsection or authorized by other law, any of which are owned by a city, including all land, easements, rights of way, fixtures, equipment, accessories, improvements, appurtenances, and other property necessary or useful for the operation of the utility.
7. “*Clerk*” means the recording and record-keeping officer of a city regardless of title.
8. “*Council*” means the governing body of a city.
9. “*Council member*” means a member of a council, including an alderman.
10. “*Eligible elector*” means the same as it is defined in section 39.3, subsection 6.
11. “*Governmental body*” means the United States of America or an agency thereof, a state, a political subdivision of a state, a school corporation, a public authority, a public district, or any other public body.
12. “*May*” confers a power.
13. “*Measure*” means an ordinance, amendment, resolution, or motion.
14. “*Must*” states a requirement
15. “*Officer*” means a natural person elected or appointed to a fixed term and exercising some portion of the power of a city.
16. “*Person*” means an individual, firm, partnership, domestic or foreign corporation, company, association or joint stock association, trust, or other legal entity, and includes a trustee, receiver, assignee, or similar representative thereof, but does not include a governmental body.
17. “*Property*,” “*real property*,” and “*personal property*” have the same meaning as provided in section 4.1.
18. “*Recorded vote*” means a record, roll call vote.
19. “*Registered voter*” means the same as it is defined in section 39.3, subsection 11.
20. “*Resolution*” or “*motion*” means a council statement of policy or a council order for action to be taken, but “motion” does not require a recorded vote.
21. “*Secretary*” of a utility board means the recording and record-keeping officer of the utility board regardless of title.
22. “*Shall*” imposes a duty.
23. “*Ordinance*” means a city law of a general and permanent nature.

## 362.5 Interest in public contract prohibited—exceptions

When used in this section, “*contract*” means any claim, account, or demand against or agreement with a city, express or implied.

**A city officer or employee shall not have an interest, direct or indirect, in any contract or job of work or material for the profits thereof or services to be furnished or performed for the officer’s or employee’s city.** A contract entered into in violation of this section is void. The provisions of this section **do not** apply to:

1. The payment of lawful compensation of a city officer or employee holding more than one city office or position, the holding of which is not incompatible with another public office or is not prohibited by law.
2. The designation of a bank or trust company as a depository, paying agent, or for investment of funds.
3. An employee of a bank or trust company, who serves as treasurer of a city.
4. Contracts made by a city, upon competitive bid in writing, publicly invited and opened.
5. **Contracts in which a city officer or employee has an interest solely by reason of employment, or a stock interest of the kind described in subsection 9, or both, if the contracts are made by competitive bid in writing, publicly invited and opened, or if the remuneration of employment will not be directly affected as a result of the contract and the duties of employment do not directly involve the procurement or preparation of any part of the contract. The competitive bid qualification of this subsection does not apply to a contract for professional services not customarily awarded by competitive bid.**
6. The designation of an official newspaper.
7. A contract in which a city officer or employee has an interest if the contract was made before the time the officer or employee was elected or appointed, but the contract may not be renewed.
8. Contracts with volunteer fire fighters or civil defense volunteers.
9. A contract with a corporation in which a city officer or employee has an interest by reason of stockholdings when less than five percent of the outstanding stock of the corporation is owned or controlled directly or indirectly by the officer or employee or the spouse or immediate family of such officer or employee.
10. **Contracts not otherwise permitted by this section, for the purchase of goods or services by a city having a population of more than 2500, which benefit a city officer or employee, if the purchases benefiting that officer or employee do not exceed a cumulative total purchase price of \$1500 in a fiscal year.**
11. Contracts not otherwise permitted by this section for the purchase of goods or services by a city having a population of 2500 or less, which benefit a city officer or employee, if the purchases benefiting that office or employee do not exceed a cumulative total purchase price of \$2500 in a fiscal year.
12. Franchise agreements between a city and a utility and contracts entered into by a city for the provision of essential city utility services.
13. A contract that is a bond, note, or other obligation of the city and the contract is not acquired directly from the city, but is acquired in a transaction with a third party who may or may not be the original underwriter, purchaser, or obligee of the contract.