



Roll Call Number

23-1441

Agenda Item Number

43

Date

October 23, 2023

**APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE IOWA
DEPARTMENT OF REVENUE FOR PARTICIPATION IN THE INCOME OFFSET
PROGRAM**

WHEREAS, the State of Iowa Department of Revenue (IDR), under authority of Section 421.65 of the Code of Iowa, provides a process that allows a city to receive funds from an individual's state income tax refund or other State payment if that individual has a qualifying debt owed to the city; and

WHEREAS, the City currently uses a similar Offset Program through the State of Iowa Department of Administrative Services; and

WHEREAS, that program is ending on November 12, 2023, and being replaced with the Iowa Setoff Program through the State of Iowa Department of Revenue (IDR); and

WHEREAS, debts will be submitted to the IDR electronically and funds will be sent electronically to the City when appropriate for unpaid Parking Tickets and Ambulance bills and any other eligible types in the future; and

WHEREAS, in order to participate in the IDR Setoff Program, the City is required to submit an application and agree to a Memorandum of Understanding with IDR; and

WHEREAS, the Finance Department has completed the application and the Legal Department has reviewed and approved the application and Memorandum of Understanding in form on file in the City Clerk's office.

NOW, THEREFORE, be it resolved by the City Council of the City of Des Moines, Iowa:

1. The Finance Director or his designee is hereby directed and authorized to submit the City's application for the IDR setoff program;
2. The Memorandum of Understanding between IDR and the City of Des Moines for participation in the Income Setoff Program, on file in the Office of the City Clerk, is hereby approved and the Mayor is authorized and directed to execute the same on behalf of the City and the City Clerk is authorized and directed to attest to the Mayor's signature as necessary; and
3. Upon acceptance of the City's Application and admission into the IDR Income Setoff Program, the City Clerk's Office, the Finance Department, the City Manager and any designee thereof, are authorized and directed to administer debts and claims owed to the City and otherwise administer and execute the City's involvement in the IDR Income Setoff Program.



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(Council Communication No. 23- 480)

Moved by Gatto to adopt. Second by Voss

APPROVED AS TO FORM:

/s/ Gary D. Goudelock Jr.
Gary D. Goudelock Jr.
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

CERTIFICATE

I, LAURA BAUMGARTNER, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

J. M. Franklin Cownie Mayor

Laura Baumgartner City Clerk