

FINANCIAL IMPACT:

For simplicity, all \$173,291.65 of currently available ARPA funds can be reallocated to one expense category and one project, as detailed below.

ARPA Expense Category 3.4 -- Public Sector Capacity: Effective Service Delivery

Project Description: Furniture, Fixtures and Equipment for new LEC Facility as needed by Woodbury County

CURRENT EXPENSES:

\$75,096.66 to Iowa Judicial Branch

\$40,000.00 to moving or purchase expenses of cooler and freezer to new Woodbury County Law Enforcement Center

FUTURE EXPENSE:

\$58,194.99 to building services department, for furniture, fixtures, and equipment expenses for congregate settings (Law Enforcement Center). It is completely reasonable to anticipate expenses in this category of \$58,194.99 between now and the end of 2026.

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

See below.

ACTION REQUIRED / PROPOSED MOTION:

Reallocate \$173,291.65 of unspent American Rescue Plan Act funds to ARPA Expense Category 3.4 (Public Sector Capacity: Effective Service Delivery) and Project Identification Number ARPA 13

Available ARPA Funds

ARPA #	ARPA TITLE	AMOUNT Obligated	AMOUNT Expended	AMOUNT Unspent	AMOUNT Available
ARPA 6	Sheriff's Correctional Officers FY 23	\$ 345,000.00	\$ 348,922.66	\$ (3,922.66)	\$ (3,922.66)
ARPA 7	S.R. Road Maintenance CWA Union Workers FY 23	\$ 115,000.00	\$ 114,652.08	\$ 347.92	\$ 347.92
ARPA 8	EMS Employees FY 23	\$ 52,909.00	\$ 52,743.50	\$ 165.50	\$ 165.50
ARPA 10	Adminstrative Fees (UHY; Baker Group)	\$ 82,000.00	\$ 19,900.00	\$ 62,100.00	\$ 40,000.00
ARPA 15	County Attorney 4% FY23 and FY24	\$ 118,853.00	\$ 65,030.62	\$ 53,822.38	\$ 53,822.38
ARPA 17	County Attorney Internship	\$ 10,000.00	\$ 7,004.77	\$ 2,995.23	\$ 2,995.23
ARPA 18	Conservation & Emergency Services Radios	\$ 162,745.00	\$ 157,901.99	\$ 4,843.01	\$ 1,743.01
ARPA 19	Trospher/Hoyt Emergency Repairs	\$ 200,000.00	\$ 139,477.27	\$ 60,522.73	\$ 60,522.73
ARPA 22	#2 County Union Workers Retention	\$ 108,894.00	\$ 91,276.46	\$ 17,617.54	\$ 17,617.54
Totals		\$ 1,195,401.00	\$ 996,909.35	\$ 198,491.65	\$ 173,291.65

MEMORANDUM

To: Iowa State Association of Counties
From: Iowa Judicial Branch
Re: Limiting Judicial Branch Contribution to Furnishings and Equipment that are Required by County Renovation or Construction to 75% (effective 7/1/23)
Date: 2/4/23

Background

In the 2022 Iowa Code, Iowa Code section 602.11101(1)(e)(2) provided:

(2) Until July 1, 1986, the county shall remain responsible for the compensation of and operating costs for court employees not presently designated for state financing and for miscellaneous costs of the judicial branch related to furnishings, supplies, and equipment purchased, leased, or maintained for the use of judicial officers, referees, and their staff. Effective July 1, 1986, the state shall assume the responsibility for the compensation of and operating costs for court employees presently designated for state financing and for miscellaneous costs of the judicial branch related to furnishings, supplies, and equipment purchased, leased, or maintained for the use of judicial officers, referees, and their staff. However, the county shall at all times remain responsible for the provision of suitable courtrooms, offices, and other physical facilities pursuant to [section 602.1303, subsection 1](#), including paint, wall covering, and fixtures in the facilities.

Effective July 1, 2022, [HF 2579, section 18 \(2022 RIIF Bill\)](#) added the following provision at the end of the above subparagraph:

In addition, however, effective July 1, 2023, if a county expends moneys for the renovation or construction of suitable courtrooms, offices, and other physical facilities pursuant to section 602.1303, that requires the purchase of furnishings, supplies, and equipment for the use of judicial officers, referees, and their staff as a result of that renovation or construction, the state shall be responsible for only seventy-five percent of the cost of the purchase.

Analysis

The statutory change to Iowa Code section 602.11101(1)(e)(2) for sharing the cost of furnishings, supplies, and equipment provides that the change is effective July 1, 2023. However, there is some ambiguity as to the applicability of the provision.

Absent further legislative instruction, the judicial branch intends to apply the change in law to purchases made with moneys appropriated on or after July 1, 2023.

We believe this approach is consistent with legislative intent because the change in Iowa Code section 602.11101 was passed in the same bill that provided 100% of the judicial branch's request for furnishings, supplies, and equipment for FY23. This approach defers to the legislature's authority to appropriate the amount the legislature deems appropriate for furnishings and equipment for county-initiated renovation or construction of court-controlled spaces. Finally, this approach is the most transparent and easiest for the judicial branch and counties to implement going forward.

Conclusion

The judicial branch recognizes that the applicability of [HF 2579, bill section 18 \(2022 RIIIF bill\)](#) is ambiguous. To start the conversation on the interpretation of this provision, the judicial branch offers the interpretation that HF 2579, bill section 18 caps the judicial branch's contribution to furnishings, supplies, and equipment at 75% of the cost of the purchase, beginning with purchases funded by moneys appropriated by the legislature to the judicial branch that take effect on or after July 1, 2023.



Fw: Woodbury LEC Technology Funds
Peggy Frericks to: Patrick Tott

11/06/2023 08:34 AM

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The Iowa Judicial Branch dedicates itself to providing independent and accessible forums for the fair and prompt resolution of disputes, administering justice under law equally to all persons.

----- Forwarded by Peggy Frericks/District3/JUDICIAL on 11/06/2023 08:34 AM -----

From: "Kent Farver [JB]" <Kent.Farver@iowacourts.gov>
 To: "Peggy Frericks [JB]" <Peggy.Frericks@iowacourts.gov>
 Cc: "Mare Steil [JB]" <Mare.Steil@iowacourts.gov>
 Date: 11/02/2023 03:50 PM
 Subject: Woodbury LEC Technology Funds

Peggy:

Good afternoon. Quick update on ongoing discussions concerning the 75/25 discussion concerning capital funding. For FY 2024, the legislature appropriated funds for the Woodbury County LEC from both the RIF fund and the Technology Capital fund. We had previously discussed that the RIF funds now require the county to provide 25% of the cost and that the state will contribute 75% of the cost. With the introduction of the technology capital funds into this discussion, we have determined that these will also require the 25% match from the county. This is an update from what we had previously discussed.

So based on the code language and the appropriation, below is a chart detailing the amount appropriated and the amount that the county will need to contribute. If you have any questions, please reach out to Mare or myself. Thanks.

Kent

	FY 24 Appropriation Amount	County Contribution Required
Woodbury LEC II F&E	\$ 100,000	\$ 33,333.33
Woodbury Co LEC tech projects	\$ 125,290	\$ 41,763.33

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