

JAN 19 2006  
LOCAL GOVERNMENT

HOUSE FILE 2093  
BY RANTS, WENDT, and  
WHITEAD

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the election of mayor and city council members  
2 in a city governed by the council-manager-at-large form of  
3 city government.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 372.6, Code 2005, is amended to read as  
2 follows:

3 372.6 COUNCIL-MANAGER-AT-LARGE FORM.

4 1. A city governed by the council-manager-at-large form  
5 has five council members elected at large for staggered four-  
6 year terms. At the first meeting of the new term following  
7 each city election, the council shall elect one of the council  
8 members to serve as mayor, and one to serve as mayor pro tem.  
9 The mayor is a member of the council and may vote on all  
10 matters before the council. As soon as possible after the  
11 beginning of the new term following each city election, the  
12 council shall appoint a manager.

13 2. a. The city council of a city governed by the council-  
14 manager-at-large form may provide for the election of a mayor  
15 and four council members elected at large by adoption of an  
16 ordinance meeting the requirements of paragraph "c", subject  
17 to approval of the ordinance by the registered voters of the  
18 city. After final adoption of the ordinance by the council,  
19 the council shall, in a timely manner, direct the county  
20 commissioner of elections to put the question of approval of  
21 the ordinance on the ballot for the next general election or  
22 the next regular city election, whichever occurs first. If  
23 the ballot proposal is approved, the ordinance is effective  
24 beginning with the next following regular city election.

25 b. In lieu of paragraph "a", if a petition valid under  
26 section 362.4 is filed with the city clerk, the proposal to  
27 provide for the direct election of a mayor and four council  
28 members elected at large shall be placed on the ballot for the  
29 next general election or the next regular city election,  
30 whichever occurs first. If the ballot proposal is approved,  
31 the city council shall adopt an ordinance meeting the  
32 requirements of paragraph "c", and the ordinance is effective  
33 beginning with the next following regular city election.

34 c. The ordinance shall provide that the mayor is a member  
35 of the council and may vote on all matters before the council.

1 The ordinance shall provide that the term of office of the  
2 mayor is four years and, after each regular city election, the  
3 mayor shall appoint a council member as mayor pro tem. The  
4 ordinance shall provide that the mayor is a member of the  
5 council for purposes of maintaining staggered terms on the  
6 council. A council member's term shall not be shortened or  
7 lengthened as a means of initially implementing the ordinance.

8 d. An ordinance adopted and approved under this subsection  
9 is not subject to repeal until the ordinance has been in  
10 effect for at least six years. The question of repeal of the  
11 ordinance is subject to the adoption and approval requirements  
12 of paragraph "a" or "b", as applicable.

13 3. The council may by ordinance provide that the city will  
14 be governed by council-manager-ward form. The ordinance must  
15 provide for the election of the mayor and council members  
16 required under council-manager-ward form at the next regular  
17 city election.

18 EXPLANATION

19 Under current law, the council-manager-at-large form of  
20 city government is required to have five city council members  
21 who serve four-year terms. After each regular city election,  
22 a mayor and mayor pro tem are chosen by the council from among  
23 the council members.

24 This bill allows a city governed by the council-manager-  
25 at-large form to, by ordinance, provide for the election of a  
26 mayor and four council members at large at the regular city  
27 election. The bill provides that the mayor is a member of the  
28 council and serves a four-year term. The bill also provides  
29 that the mayor shall choose a mayor pro tem from among the  
30 four council members.

31 The bill requires city voters to approve the ordinance  
32 adopted by the city council before the ordinance is effective.  
33 In the alternative, a petition requesting that the question of  
34 adoption of such an ordinance may be submitted, and if  
35 approved at election, the council shall adopt the ordinance.