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# MEMO

## Legal Department

**To:** Mayor Haila, Ames City Council

**From:** Mark O. Lambert, City Attorney

**Date:** December 6, 2019

**Subject:** Changing terms of Council member appointments to boards to coincide with Council terms of office.

At the November 12, 2019 Council meeting, the Council passed a motion directing the City Attorney to look into possibly changing the terms for the AEDC, ACVB, Transit, and Watershed boards to calendar year expirations.

Following are the results of my research:

1. The Ames Convention & Visitor's Bureau: Appointments to the ACVB are already on the basis of a calendar-year term.
2. The Ames Economic Development Commission: Appointments to the AEDC currently begin on July 1. I spoke with Dan Culhane about this, and he indicated he saw no problem with the Council members who serve on the Commission's board doing so on a calendar-year basis. The current written agreement between the City and AEDC is silent as to when the terms begin/end. Mr. Culhane was fine with having a gentlemen's agreement to appoint the Council members to the Commission on January 1, and we can amend the agreement to state such when the agreement is up for renewal in June.
3. Ames Transit Board: The membership and terms of the board members of the Ames Transit Board are set by section 26A.3 of the Ames Municipal Code. Currently, terms begin on May 15. One Council member sits on this board. A couple things to consider: Changing the term for the Council member will mean that one member of the Transit Board will have a term that is out of sync with the other members. Also, the budget for CyRide is typically set in January each year, which would mean a new Council member appointed might be voting on a budget when seeing it for the first time at her/his first meeting. It will take an

ordinance change in order to have the Council member's term begin on January 1st. If the Council wants to make this change, it can adopt a motion for the City Attorney to draft such an ordinance, and we can have it ready for the Dec. 17 Council agenda.

4. The Squaw Creek Watershed Management Authority: Officials with the SCWMA indicated that they did not see a problem with a City Council member serving on their board starting January 1 of each year, though I am still awaiting a final response as someone is reviewing their by-laws, and I hope to have the final response soon.

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