



MEMO

Legal Department

Caring People w Quality Programs w Exceptional Service

To: Mayor Haila and Ames City Council

From: Mark O. Lambert, City Attorney

Date: August 17, 2021

Subject: Conflict in Ames Municipal Code re: MGMC trustee terms of office

Mary Greeley Medical Center (MGMC) has brought to our attention a conflict in the Ames Municipal Code regarding the city hospital trustee terms of office.

First, I note that Iowa Code section 392.6(2) indicates that the terms of office of government-owned hospital trustees are four (4) years.

Ames Municipal Code section 12.2 (“Hospital trustees” section) correctly states that the terms of office of the hospital trustees shall be four (4) years.

Ames Municipal Code section 6.2(4) (“Elections” section) incorrectly states that the terms of office of hospital trustees shall be six (6) years.

MGMC has always had four (4) year terms of office for its trustees.

The incorrect term of office in the Elections chapter of our Municipal Code needs to be fixed, especially with a city election coming this November.

ALTERNATIVES:



MEMO

Legal Department

Caring People w Quality Programs w Exceptional Service

1. Direct the City Attorney to draft an ordinance correcting the terms of office of MGMC hospital trustees to four years in Section 6.2(4) of the Ames Municipal Code.

2. Do not make any change in the ordinance.

RECOMMENDATION:

With the upcoming city election in November, it's necessary to align section 6.2(4) of the Ames Municipal Code with both Municipal Code section 12.2 and Iowa Code section 392.6(2).

Therefore, it is the recommendation of the City Manager and the City Attorney that City Council adopt Alternative #1 directing the City Attorney to draft an ordinance amending Ames Municipal Code section 6.2(4) to reflect terms of office of four (4) years for the MGMC trustees.

#