

CHAPTER 2

ADMINISTRATION

DIVISION I IN GENERAL

Sec. 2.1. CITY SEAL DESCRIBED; DECLARED OFFICIAL.

The corporate seal of the city has in its center the words "Ames, Iowa," and around the margin the words "City Seal," and such seal is hereby declared to be the official seal of the city.
(Ord. No. 2508, Sec. 2, 5-20-75)

Sec. 2.2. OFFICERS AND EMPLOYEES BOND.

There shall be purchased and maintained in effect a corporate surety bond and public officers and employees fidelity and faithful performance bond conditioned as specified in Section 64.2 and with such further and additional conditions and coverages and in such amounts as the Council shall from time to time deem prudent and appropriate.
(Ord. No. 2508, Sec. 2, 5-20-75; Ord. No. 3071, Sec. 1, 2-27-90) [State Law Ref. Iowa Code Sec. 64.13]

Sec. 2.3. WHERE BONDS FILED.

Each of the bonds required by section 2.2 above shall be filed in the clerk's office.
(Ord. No. 2508, Sec. 2, 5-20-75)

Sec. 2.4. PAYMENT OF BOND PREMIUMS.

The premium costs for all fidelity bonds required by section 2.3, shall be paid by the city from the general fund.
(Ord. No. 2508, Sec. 2, 5-20-75)

Sec. 2.5. POWERS OF THE MAYOR.

The mayor has all the powers and shall perform such duties as are conferred or directed by the statutes of the state or as required by ordinance or resolution of the city council.
(Ord. No. 2508, Sec. 2, 5-20-75)

Sec. 2.6 MAYOR TO PRESIDE OVER COUNCIL; RIGHT TO VOTE.

The mayor shall preside at meetings of the city council. The mayor is not a member of the council and may not vote as a member of the council, except that the mayor may vote to break a tie on motions not involving ordinances, resolutions or appointments made by the council alone.
(Ord. No. 2508, Sec. 2, 5-20-75) [State Law Ref. Iowa Code Sec. 372.4]

Sec. 2.7. DUTY TO MAINTAIN OFFICE, KEEP SEAL.

The mayor shall keep an office in the city, and shall provide for the keeping of the corporate seal thereof.
(Ord. No. 2508, Sec. 2, 5-20-75)

Sec. 2.8. MAYOR'S ACTION ON COUNCIL MEASURES.

The mayor may sign, veto or take no action on an ordinance, amendment or resolution passed by the council. Measures passed by the council, other than motions, become effective in the following ways:

- (1) If the mayor signs the measure, a resolution becomes effective immediately upon signing and an ordinance

or amendment becomes law when published unless a subsequent effective date is provided within this measure.

(2) If the mayor vetoes the measure, the reasons for the veto shall be explained in a message to the council at the time of the veto. Within thirty (30) days after the mayor's veto, the council may pass the measure again by a vote of not less than two-thirds of the council members. If the mayor vetoes a measure and the council repasses the measure after the mayor's veto, a resolution becomes effective immediately upon repassage, and an ordinance or amendment becomes a law when published, unless a subsequent effective date is provided within the measure.

(3) If the mayor takes no action on the measure, a resolution becomes effective fourteen (14) days after the date of passage and an ordinance or amendment becomes a law when published, but not sooner than fourteen (14) days after the date of passage, unless a subsequent effective date is provided within the measure.

(Ord. No. 2508, Sec. 2, 5-20-75) [State Law Ref. Iowa Code Sec. 380.5 and 380.6]

Sec. 2.9. REMOVAL OF APPOINTEES.

Except as otherwise provided by state or city law, all persons appointed to city office may be removed by the officer or body making the appointment, but every such removal shall be by written order. The order shall give the reasons, be filed in the office of the city clerk, and a copy shall be sent by certified mail to the person removed who, upon request filed with the clerk within thirty days of the date of mailing the copy, shall be granted a public hearing before the council on all issues connected with the removal. The hearing shall be held within thirty days of the date the request is filed, unless the person removed requests a later date.

[State Law Ref. Iowa Code Sec. 372.15]

Sec. 2.10. APPOINTMENTS TO ADMINISTRATIVE AGENCIES, BOARDS AND COMMISSIONS.

(1) No person shall hereafter be appointed or reappointed to any administrative agency, board or commission of the city unless that person is a resident of the city of Ames.

(2) The foregoing notwithstanding, if an appointment of a non-resident of the city is required by state law; or, if the council finds that, after due diligence, the only person found qualified, ready, willing, and able to serve in a certain position is a non-resident of the city, and residency is not required by law or a more specific ordinance, the city council may approve the appointment or reappointment of that person.

(Ord. No. 3511, Sec. 1, 1-26-99)

(3) "Reappoint" is defined as: to appoint to a full term, a board or commission member who was appointed to and served the full term immediately preceding the current appointment, such that the full terms are in immediate succession of one another.

(Ord. No. 3947, 2-19-08)

(4) The mayor may prescribe a term shorter than a full term for any appointment or reappointment to an administrative agency, board, or commission in order to stagger terms.

(Ord. No. 3947, 2-19-08)

Sec. 2.11. OTHER MATTERS PERTAINING TO THE MAYOR AND MAYOR PRO TEM.

(1) The mayor is the chief executive officer of the city and presiding officer of the council. Except for the supervisory duties which have been delegated by ordinance to the city manager, the mayor shall supervise all city officers and departments.

(2) The mayor may take command of the police and govern the city by proclamation when a time of emergency or public danger exists. Within the City of Ames the Mayor has all the powers conferred upon the sheriff to suppress disorders.

(3) The mayor shall appoint a council member as mayor pro tem.

(4) The mayor shall receive as full compensation for service the sum of Eleven Thousand Dollars (\$11,000) per annum.

(Ord. No. 2508, Sec. 2, 5-20-75; Ord. No. 2847, Sec. 1, 3-28-83; Ord. No. 2961, Sec. 1, 9-9-86; Ord. No. 3048, Sec. 1, 5-23-89; Ord. No. 3256, Sec. 1, 1-25-94; Ord. No. 3597, 11-14-00) [State Law Ref. Iowa Code Sec. 372.4 and 372.14]; Ord. No. 3827, 4-26-2005; Ord. 4305, 5-23-17)

Sec. 2.12. CITY COUNCIL, MEMBERSHIP, POWERS.

The council consists of six (6) members, one from each of the four (4) wards, and two (2) elected from the city at large. The council shall have such powers as are now or may hereafter be conferred by the laws of the State of Iowa.

** See Sec. 1.8 (5)

(Ord. No. 2508, Sec. 2, 5-20-75)

Sec. 2.13. APPOINTMENT OF OFFICERS.

The city clerk, city manager, and city attorney shall be appointed by the city council for such term as the city council may prescribe at the time of appointment, and during the term of said appointment shall be subject to removal only by a vote of the majority of the whole number of the city council.

(Ord. No. 2508, Sec. 2, 5-20-75) [State Law Ref. Iowa Code Sec. 392.13]

Sec. 2.14. REGULAR MEETINGS.

Regular meetings of the city council will be held on the second and fourth Tuesdays of each month at 6:00 p.m. except when the council shall, by motion at a prior meeting, set an alternative date or time, or cancel a meeting, or decide to hold additional meetings during a month; or when in the discretion of the Mayor, in consultation with the City Manager, it is determined that an additional meeting is needed, or when an alternative start time for a scheduled meeting is necessary, to accommodate the agenda.

(Ord. No. 2508, Sec. 2, 5-20-75; Ord. No. 3211, Sec. 1, 1-12-93; Ord. No. 4222, passed 7-14-15)

Sec. 2.15. QUORUM; COMPELLING ATTENDANCE.

At all meetings of the council, four (4) members shall be necessary to constitute a quorum, but a smaller number shall have jurisdiction to adjourn to any date prior to that of the next regular meeting.

(Ord. No. 2508, Sec. 2, 5-20-75)

Sec. 2.16. SPECIAL MEETINGS.

The council shall hold special meetings when called by the Mayor or four (4) members of the Council. The City Clerk shall exercise due diligence to give actual notice of a special meeting, stating its date, time, place, and agenda, to the Mayor and each member of the City Council, by such means and methods as the Clerk shall judge to be most effective and reasonable with respect to the unique circumstances that pertain to the Mayor and each member of the Council within 24 hours of when the meeting is called.

(Ord. No. 2508, Sec. 2, 5-20-75; Ord. No. 3383, Sec. 1, 5-28-96)

Sec. 2.17. APPOINTMENT OF TEMPORARY OFFICERS.

The council shall in the absence of the mayor, mayor pro tempore, or clerk appoint a temporary presiding officer or clerk, as the case may be, from their own number, which appointment shall be entered of record.

(Ord. No. 2508, Sec. 2, 5-20-75)

Sec. 2.18. AUTHORITY TO DETERMINE RULES OF PROCEEDINGS.

The council shall determine the rules of its own proceedings consistent with the laws of the State of Iowa.

(Ord. No. 2508, Sec. 2, 5-20-75) [State Law Ref. Iowa Code Sec. 372.13(5)]

Sec. 2.19. VACANCY IN ELECTED CITY OFFICE.

A vacancy in an elective city office during a term of office shall be filled by the council, at the council's option, by one of the two following procedures:

(a) By appointment by the remaining members of the council, except that if the remaining members do not constitute a quorum of the full membership, paragraph "b" shall be followed. The appointment shall be for the period until the next pending election, and shall be made within forty days after the vacancy occurs. If the council chooses to proceed by appointment, it shall publish notice stating that the council intends to fill the vacancy by appointment but that the electors of the city or ward, as the case may be, have the right to file a petition requiring that the vacancy be filled by a special election. The council may publish notice in advance if a member of the council submits a resignation to take effect at a future date. The council may make an appointment to fill the vacancy after the notice is published or after the vacancy occurs, whichever is later. However, if within fourteen days after publication of the notice or within fourteen days after the appointment is made, there is filed with the city clerk a petition which

requests a special election to fill the vacancy, an appointment to fill the vacancy is temporary and the council shall call a special election to fill the vacancy permanently, under paragraph "b". The number of signatures of eligible electors of a city for a valid petition shall be at least two thousand signatures or at least the number of signatures equal to ten percent of the voters who voted for candidates for the office at the preceding regular election at which the office was on the ballot, whichever number is fewer.

(b) By a special election held to fill the office for the remaining balance of the unexpired term. If the council opts for a special election or a valid petition is filed under paragraph "a", the special election may be held concurrently with any pending election as provided by Iowa law if by so doing the vacancy will be filled not more than ninety days after it occurs. Otherwise, a special election to fill the office shall be called at the earliest practicable date. If there are concurrent vacancies on the council and the remaining council members do not constitute a quorum of the full membership, a special election shall be called at the earliest practicable date. The council shall give the county commissioner at least thirty-two days' written notice of the date chosen for the special election. The dates for actions in relation to the special election shall be calculated with regard to the date for which the special election is called, as provided by Iowa law.

(Ord. No. 3887, 08-08-06) [State Law Ref. Iowa Code Sec. 372.13(2)], as amended by HF 2282)

Sec. 2.20. ORDINANCES AND AMENDMENTS.

(1) The subject matter of an ordinance must be generally described in its title.

[State Law Ref. Iowa Code Sec. 380.1]

(2) An amendment to an ordinance or to the Municipal Code must specifically repeal the ordinance or code, or the section or subsection to be amended, and must set forth in full the ordinance, code, section or subsection as amended.

(Ord. No. 2508, Sec. 2, 5-20-75) [State Law Ref. Iowa Code Sec. 380.2]

Sec. 2.21. PROCEDURE FOR ENACTMENT OF AN ORDINANCE OR AMENDMENT.

A proposed ordinance or amendment must be considered and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed, unless this requirement is suspended by a recorded vote of not less than three-fourths of the council members.

However, if a summary of the proposed ordinance or amendment is published as provided in section 362.3, Code of Iowa, prior to its first consideration, and copies are available at the time of publication at the office of the city clerk, the ordinance or amendment must be considered and voted on for passage at one meeting prior to the meeting at which it is to be finally passed, unless this requirement is suspended by a recorded vote of not less than three-fourths of the council members.

(Ord. No. 2508, Sec. 2, 5-20-75; Ord. No. 2541, Sec. 1, 4-27-76) [State Law Ref. Iowa Code Sec. 380.3]

Sec. 2.22. VOTE REQUIRED.

Passage of an ordinance, amendment or resolution requires an affirmative vote of not less than a majority of the council members. A motion to spend public funds in excess of ten thousand dollars (\$10,000.00) on any one project, or a motion to accept public improvements and facilities upon their completion, also requires an affirmative vote of not less than a majority of the council members. Each council member's vote on an ordinance, amendment or resolution must be recorded.

(Ord. No. 2508, Sec. 2, 5-20-75) [State Law Ref. Sec. 380.4]

Sec. 2.23. COMPENSATION OF COUNCIL MEMBERS.

Each Council member shall receive as full compensation for his or her services the sum of ten thousand dollars (\$10,000.00) per annum.”

(Ord. No. 2508, Sec. 2, 5-20-75; Ord. No. 2541, Sec. 1, 4-27-76; Ord. No. 2877, Sec. 1, 3-28-83; Ord. No. 3048, Sec. 1, 5-23-89; Ord. No. 3256, Sec. 1, 1-25-94; Ord. No. 3597, 11-14-00; Ord. No. 3827, 4-26-2005; Ord. 4305, 5-23-17)

Sec. 2.24. APPOINTMENT OF COMMITTEES.

The mayor may appoint, from members of the council, committees to perform specific assignments as the need arises.

(Ord. No. 2508, Sec. 2, 5-20-75)

Sec. 2.25. RULES OF PROCEDURE.

The following rules shall govern the meetings of the council and its order of transaction of business:

(1) Preservation of Order; Deciding Questions; Appeals from the Chair. The mayor, the mayor pro tempore or other presiding officer shall preserve decorum and shall decide questions of order subject to an appeal to the council. A member called to order shall immediately suspend remarks until permitted by the mayor to explain. If there is no appeal, the decision of the chair shall be conclusive; but if the member appeals to the council from the decision of the chair, the council shall decide the question without debate.

(2) Motions, Resolutions to be seconded; Statement; when to be written. No motion or resolution shall be put until it is seconded. When seconded, it shall be stated by the mayor or presiding officer before debate. Upon request of the chair or any councilperson, every motion shall be reduced to writing.

(3) Withdrawal of Motions. After a motion or resolution is stated by the chair, it shall be deemed in the possession of the council, but it may be withdrawn by the movant at any time before decision or amendment.

(4) Name of Mover to be Recorded. In all cases where a resolution or a motion is entered on the minutes of the city council the name of the member moving the same also shall be entered.

(5) Preferential Motions. When a question is under debate, the only motions in order shall be:

First: To adjourn.

Second: The previous question.

Third: To lay on the table.

Fourth: To postpone indefinitely.

Fifth: Adjourn to a certain day.

Sixth: To refer.

Seventh: To amend.

Such motions shall have precedence in the order herein arranged, the first three (3) to be decided without debate.

(6) When Motion to Adjourn is in Order. A motion to adjourn the city council shall always be in order, except:

(a) When a member is in possession of the floor.

(b) When the members are voting.

(c) When adjournment was the last preceding motion.

(d) When it has been decided that the previous question shall be taken.

(7) Amendment, Debate of Motions to Adjourn. A motion simply to adjourn cannot be amended; but a motion to adjourn to a given time may be, and is open to debate.

(8) Putting the Previous Question. When the previous question is moved and put it shall be in this form, "Shall the main question be now put?" If this is carried, all proposed amendments and all further motions and debates shall be excluded, and the question is put without delay.

(9) Amendment, Debate of Motions to Table. A motion to lay a question on the table simply is not debatable but a motion to lay on the table and publish, or any other condition, is subject to amendment and debate.

(10) Indefinite Postponement of Motions. When a motion is postponed indefinitely it shall not be taken up again during the same meeting.

(11) Precedence of Motions to Refer to Committee. A motion to refer to a standing committee shall take precedence over a similar motion for a special committee.

(12) Motions to Amend.

(a) A motion to amend an amendment shall be in order; but a motion to amend an amendment to an amendment shall not be entertained.

(b) An amendment modifying the intention of a motion shall be in order but an amendment relating to a different subject shall not be in order.

(13) Motions to Strike and Insert. On motion to "strike out and insert" the paragraph to be amended shall first be read as it stands, the words proposed to be struck out, and those to be inserted, and finally the paragraph as it would stand if so amended.

(14) Timeliness of Motions to Reconsider. A motion may be reconsidered at any time during the same meeting, or at the first meeting held thereafter. A motion for a reconsideration being once made, and decided in the negative, shall not be renewed before the next meeting.

(15) Who May Move to Reconsider. A motion to reconsider must be made by members who voted in the majority, or by those who were absent and did not vote upon the question to be reconsidered.

(16) Reconsidering Motions More Than Once. No question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

(17) Suspension of Rules. The foregoing rules may be suspended for a certain meeting or a certain purpose only by the unanimous vote of the council.

(18) Application of Robert's Rules of Order. Upon questions arising not covered by this section, Robert's Rules of Order shall govern.

(Ord. No. 2508, Sec. 2, 5-20-75) [State Law Ref. Iowa Code Sec. 372.13(5)]

DIVISION II
CITY CLERK

Sec. 2.26. CITY CLERK, APPOINTMENT, SUPERVISION, COMPENSATION, REMOVAL.

- (1) The City Clerk shall be appointed by the City Manager, said appointment to be effective only upon confirmation by resolution of the City Council.
- (2) The City Clerk shall maintain City records and perform other duties prescribed for the City Clerk by state or city law and perform such other tasks and duties as are specified from time to time by the City Manager.
- (3) The work performance of the City Clerk shall be supervised and evaluated by the City Manager.
- (4) The compensation, pay, and employment benefits of the City Clerk shall be determined by the City Manager.
- (5) Upon recommendation of the City Manager, the City Clerk shall be subject to removal by the City Council. *[State Law Ref. Iowa Code Sec. 372.13(3)](Ord. No. 3494, Sec. 1, 7-28-98)*

(Ord. No. 2508, Sec. 2, 5-20-75) [State Law Ref. Iowa Code Sec. 372.13(6)]; [State Law Ref. Iowa Code Sec.

64.24]; [State Law Ref. Iowa Code Sec. 400.4]; [State Law Ref. Iowa Code Sec. 372.13(5)]

- Sec. 2.27. RESERVED**
- Sec. 2.28. RESERVED**
- Sec. 2.29. RESERVED**
- Sec. 2.30. RESERVED**
- Sec. 2.31. RESERVED.**
- Sec. 2.32. RESERVED.**
- Sec. 2.33. RESERVED.**
- Sec. 2.34. RESERVED.**
- Sec. 2.35. RESERVED.**

DIVISION III CITY MANAGER

Sec. 2.41. OFFICE CREATED.

By virtue of authority conferred by law, the office of city manager is hereby created and continued in the city.

(Ord. No. 2508, Sec. 2, 5-20-75) [State Law Ref. Iowa Code Sec. 372.4]

Sec. 2.42. APPOINTMENT, TENURE, REMOVAL.

The city manager shall be appointed by a majority vote of the city council at a regular meeting, and the manager shall hold office during the pleasure of the city council and be subject to removal only by a majority vote thereof.

(Ord. No. 2508, Sec. 2, 5-20-75)

Sec. 2.43. MANAGER SUPERSEDES OTHER OFFICERS WHEN POWERS OVERLAP.

Whenever, by ordinance of the council the powers and duties heretofore vested in any other appointive municipal offices are to be wholly performed by the city manager, then no such appointment of such appointive offices shall be made, and any appointment of such offices made prior to the adoption of such ordinance shall be thereby cancelled.

(Ord. No. 2508, Sec. 2, 5-20-75)

Sec. 2.44. RESERVED.

(Ord. No. 2508, Sec. 2, 5-20-75, Ord. No. 3633, 10-23-01)

Sec. 2.45. DUTIES AND POWERS OF THE CITY MANAGER.

The city manager shall be the chief administrative officer of the city and head of the administrative service. The city manager shall:

- (1) Supervise enforcement and execution of the city laws.
- (2) Attend all meetings of the city council.
- (3) Recommend to the council any measures necessary or expedient for the good government and welfare of the city.
- (4) Supervise the official conduct of all employees of the city appointed by the city manager.
- (5) Supervise the performance of all contracts for work to be done for the city, make all purchases of materials and supplies, and see that such materials and supplies are of the quality called for, except with respect to the municipal hospital, and the Ames Public Library.
- (6) Supervise the construction, improvement, repair, maintenance and management of all city property, public improvements and undertakings of the city, including the making and preservation of all surveys, maps, plans, drawings, specifications, and estimates for public improvements, except with respect to the municipal hospital and Ames Public Library.
- (7) Cooperate with, and give assistance requested by, the Ames Municipal Hospital Board of Trustees, the board of trustees of the Ames Public Library, or any other administrative agency, board, commission or committee of the city.

- (8) Be responsible for the cleaning, repair, maintenance and lighting of streets, alleys, and public places; the disposal of solid waste; and, the operation of city utilities and other services.
- (9) Provide for and cause records to be kept of the issuance and revocation of licenses and permits authorized by law, including cigarette permits.
- (10) Keep the council fully advised of the financial and other conditions of the city, and of its future needs.
- (11) Prepare and submit to the council, for approval, the necessary budgets.
- (12) Conduct the business affairs of the city and cause accurate records to be kept by modern and sufficient methods.
- (13) Make, to the council, each month, a financial report in writing, showing revenues and expenditures, and insure that copies of such financial reports are available for public inspection.
- (14) Perform such other duties as are within the discretion of the council to direct.
- (15) Subject to applicable law, appoint reclassify, promote, demote, or discharge employees and fix their compensation, including the chief of police, but except: the city attorney, employees under the authority of the Ames City Hospital Board of Trustees, employees under the authority of the Board of Trustees of the Ames Public Library, the director of transit services; and, perform the duties pertaining to the city clerk, as provided by Section 2.26 hereof.
- (16) Appoint some officer or employee to assume, in an acting capacity, the performance of the duties of any position in the administrative service which is vacant or lacks administration due to the absence or disability of the incumbent, including someone to perform the duties of the city manager in the city manager's absence.
- (17) Have the power to set aside any action taken by a department head or employee within the administrative service, to supersede such department head or employee in the performance of work and duties of the position; and, to direct any department or division of the administrative service to perform work for any other department or division thereof.
- (18) Have the power to prescribe and promulgate rules, regulations and procedures as deemed necessary or expedient for the conduct of the officers and work of the administrative service.
- (19) Direct disaster services for the City of Ames and perform other such duties as the Council shall direct.

(Ord. No. 2508, Sec. 2, 5-20-75, Ord. No. 3633, 10-23-01)

Sec. 2.46. DEPARTMENTAL ORGANIZATION.

The administrative service of the city shall be organized and directed by the city manager. The city manager shall file with the city clerk a written organization plan showing the departments and respective duties thereof.

DIVISION IV
CITY ATTORNEY

Sec. 2.47. COUNCIL TO APPOINT CITY ATTORNEY.

City Attorney may be appointed by vote of a majority of the whole number of the city council and shall serve at the pleasure of the city council, and be subject to removal by a vote the same as required for appointment.

[State Law Ref. Iowa Code Sec. 372.13(4)]

Sec. 2.48. POWERS AND DUTIES.

The City Attorney shall be head of the Legal Department of the City and supervise such Assistant City Attorneys and support staff as may be appointed. The City Attorney, and Assistant City Attorneys when so directed by the City Attorney, shall have the following powers and duties:

(1) Opinions. The City Attorney shall give, when requested by the City Council, administrative agency, City Manager or department head, legal opinion upon all questions of law arising out of any ordinances, suits, claims, or demands for or against the city, and shall give such opinion in writing unless otherwise so requested.

(2) Legal adviser. Act as legal adviser to all City officials, boards and commissions as far as their or its official duties are concerned, when requested to do so by said officials, boards and commissions.

(3) Ordinances. Report to the City Council any defects that may be discovered in any ordinance, and shall draw such ordinances as may be requested by the City Council.

(4) Contracts and litigation. When directed to do so by any City official, draw all contracts between the city and other parties, prosecute and defend all suits or other matters in which the City shall be a party, take appeals in such cases as the interest of the City requires, and prosecute or defend the City's interest in all the courts of the State and of the United States, all subject, however, to the direction of the City Council; provided however, that the City Attorney is authorized and directed hereby to prepare, sign and file proper informations when there is evidence that a person may be guilty of a violation of a City ordinance, and to prosecute any and all such informations to judgment and on appeal.

(5) Sign legal papers. Sign the name of the City to bonds and papers of whatever kind necessary in legal proceedings for the prosecution of any suit in court when directed to do so by the City Council.

(6) Deliver effects of office to successor. Transmit to a successor a docket of all cases pending wherein the City is a part, as well as all books, papers and documents in the possession of the City Attorney belonging to the City.

(7) Follow established City policies and processes. Follow adopted City policies and administrative processes, including, but not limited to, personnel policies; purchasing policies; pay and classification systems; Civil Service practices and policies; and performance management, hiring, and budget processes. Under the direction of the City Manager's Office, prepare and administer the annual budget for the City's Legal Department. Lead legal staff in implementing department and City-wide goals and objectives.

(Ord. No. 2508, Sec. 2, 5-20-75, Ord. No. 3633, 10-23-01; Ord. No. 4323, 9-12-17).

Sec. 2.49. REIMBURSEMENT FOR OFFICIAL EXPENSES.

The city attorney and assistants shall be reimbursed for all money necessarily expended and actually paid out in attending to official business, which expenses, after a full report as to the amount claimed and for what purpose, shall be passed upon by the city council and paid as other claims.

(Ord. No. 2508, Sec. 2, 5-20-75)

Sec. 2.50. AMES RESIDENT POLICE ADVISORY COMMITTEE ESTABLISHED.

There is hereby established the Ames Resident Police Advisory Committee (ARPAC) for the City of Ames, Iowa.

(Ord. 4450, 10-12-21)

Sec. 2.51. CHARGE.

The mission of the Ames Resident Police Advisory Committee is to provide a resident perspective to the Chief of Police into the resolution of complaints against the Ames Police Department, provide thoughtful recommendations regarding the policies and practices of the Ames Police Department, report concerns regarding complaint investigation outcomes to the City Manager, and increase public confidence in the professionalism and accountability of the Ames Police Department.

(Ord. 4450, 10-12-21)

Sec. 2.52. MEMBERSHIP.

(1) The Committee shall consist of seven members appointed by the Mayor with the approval of the City Council. The members of the committee shall be representative of the diversity of the community, insofar as practicable.

(2) Applicants for the Committee shall provide with their application a statement of their commitments to serve impartially, to review complaints based only upon facts and evidence, and to remain unprejudiced for or against police officers or complainants. Applicants must agree to hold in strict confidentiality any record or deliberation that qualifies as a confidential record or deliberation under Iowa law. When presenting a prospective Committee member for City Council approval, the Mayor shall include a statement describing the rationale for selecting the appointee.

(3) The term of office shall be three (3) years, and shall begin April 1 of the year of appointment, except that the Mayor may prescribe a shorter term for any appointment or reappointment in order to stagger terms. Vacancies shall be filled for any unexpired term in the same manner as original appointments. No member who has served six (6) consecutive years is eligible for reappointment.

(4) The Committee shall elect one of its own members to be chairperson and another to record minutes of its proceedings.

(5) Any member or all members may be removed from office at any time by the Mayor with the approval of the City Council, for good cause.

(Ord. 4450, 10-12-21)

Sec. 2.53. RESPONSIBILITIES.

The Ames Resident Police Advisory Committee shall have the following responsibilities:

(1) To accept complaints from the public regarding the conduct of sworn Ames police officers and forward such complaints to the Chief of Police for investigation in accordance with Police Department policies and applicable law.

(2) To review policies and procedures of the Police Department and provide comments and suggestions for improvement to the Chief of Police and City Manager.

(3) To conduct outreach and engage individuals and groups in the Ames community regarding concerns related to public safety and police procedures, rights and responsibilities of residents in law enforcement actions, and processes and resources for filing complaints.

(4) To provide feedback to the Chief of Police regarding whether a police officer's conduct merits commendation, in instances where a commendation is being considered.

(5) To issue an annual report to the City Council containing the number of complaints received and the nature of such complaints, demographic information of complainants (when disclosed by complainants), a summary of policies reviewed and any changes recommended, a summary of training provided to the Committee, a summary of outreach activities conducted, and concerns regarding complaint investigation outcomes, if any.

(Ord. 4450, 10-12-21)

Sec. 2.54. COMPLAINT REVIEW PROCESS.

(1) When a complaint regarding the Ames Police Department or one of its sworn officers is received, the complaint shall be investigated in accordance with Police Department policies and applicable law.

(2) At the conclusion of an investigation into a complaint, the Chief of Police shall convene the Committee to discuss the investigation and seek the input of the Committee, prior to making a decision as to personnel action, if any. A summary of the input received from the Committee regarding a complaint shall be provided to the City Manager. The review of the complaint by the Committee shall be advisory in nature and separate from the formal internal investigation and disciplinary processes.

(3) The Chief of Police shall seek the review of a complaint by the Committee when the complaint concerns Police Department policy violations, improper or inadequate investigation, excessive use of force, discrimination, or harassment, or any other complaint in which the Chief of Police determines a review by the Committee to be desirable.

(4) The Committee is authorized to convene in closed session upon advice of the City Attorney to discuss confidential records and other matters as prescribed by and in accordance with the procedures outlined in state law. All meetings held in closed session will be attended by the Chief of Police or designee.

(5) To preserve impartiality, once a complaint has been filed, members of the Committee may not engage in communications with a party to that complaint until the complaint has been disposed of.

(Ord. 4450, 10-12-21)

Sec. 2.55. MEETINGS, RESOURCES, AND TRAINING.

(1) The Committee shall hold regular meetings not less than four times per year and shall hold special meetings as needed to review complaints upon the request of the Chief of Police. The Police Department shall provide meeting space and materials as necessary for the Committee to conduct its meetings. The Chief of Police or designee shall attend meetings to serve as a resource to the Committee; however, the Committee is not empowered to direct the Chief of Police or the activities of the Police Department.

(2) The Police Department shall allocate funding in its budget each year for the operations of the Committee, including for supplies, materials, training, and other resources.

(3) Committee members shall receive ongoing education and training in subjects recommended by City staff, including local ordinances, state law, City and departmental policies, organization and roles of the Police Department, traffic stops, searches, seizures, arrests, booking, use of force, police equipment and facilities, the investigative process, biased-based policing, officer selection and training, and other pertinent matters.

(Ord. 4450, 10-12-21)