

July '14 – City Attorney's Report
UPDATED July 11, 2014

1. Council member Resignation – Filling Vacancy.

- I informed you at the Council Meeting that Carla Aldrich's appointment would run only through November 4, 2014, and that the remainder of Zadok Nampala's term would be filled by election then – as part of the General Election that day. That information was the result of the Iowa Secretary of State's interpretation of a very recent change in the state law. (I think I mentioned that the code section was unclear and the interpretation was open to some debate.)
- The Secretary of State has since reconsidered its position, and now concludes that the November 4 election is **not** a "City election" for purposes of voting to fill a Council vacancy. **Thus, Carla will fill the remainder of Zadok's term in office – serving through December 31, 2015 – unless a petition is presented by July 22 (14 from Carla's appointment on July 8) to trigger a Special Election.**
- I respectfully request that Mike post this Updated Report on the City website so that citizens are apprised of this change. I will post this Updated Report at the City Office, as well.

2. LOST. The Johnson County Auditor has provided some additional (and somewhat different) information concerning the Local Option Sales Tax (LOST) issue. I believe Chris Anderson forwarded an email from the Auditor's Office about this issue, but I will go ahead and comment.

- Each City voting on LOST may request its own "sunset" provision – the date on which LOST will expire (assuming it is adopted).
- The Johnson County Board of Supervisors requests input from the Council about when it desires LOST to expire in University Heights. Iowa City requested a 10-year term. I was unable to learn today what the deadline is for the Board of Supervisors to receive this information. **I suspect the Council may need to make this an additional agenda item for the Special Meeting July 24.**
- The Auditor's email also indicates that the Board of Supervisors would like Cities to specify that 10% of the LOST funds collected would go toward payment of the Courthouse Annex bond.