



Item No. 13
MEMO

To: Mayor & City Council
From: Mark O. Lambert, City Attorney
Date: March 10, 2026
Subject: Affirming Council Member Gartin's Vote

On March 5, 2026, Council member Tim Gartin attended and participated in a meeting of the Story County Emergency Management Commission – Story County Board of Supervisors' Joint EOC Project. He was requested by Mayor Haila to attend the meeting in place of the Mayor, who is the City's representative on the Commission.

On the way to the meeting, Council Member Gartin telephoned the City Attorney and the two discussed the legality of Tim voting as a member of the Commission, when he is not a member and not the Mayor Pro Tem (who is authorized by the *Iowa Code* to act in lieu of the Mayor, when the Mayor is unavailable).

A decision was made that Council Member Gartin would attend the meeting and vote, and that the City Council would be asked to retroactively approve his votes, to make clear that he had the authority to vote on behalf of the City.

There were two votes taken where Council Member Gartin voted with the majority. One was to approve the selection of an A/V system bid for the Emergency Operations Center (EOC) project. Story County had already approved the allocation of the funds. This vote was to approve the selection of the low bidder. The cost is \$104,530. The vote was 8-3.

The second vote was to approve \$4,000 in new furniture and \$10,853 in a contingency fund for the project. The vote had one dissenting vote. This brought the total project cost to \$119,383. When construction costs are added, the total project cost is \$260,000.

Fire Chief Higgins was present and reported that his review of the proposal was consistent with other EOC A/V systems in the area.

Therefore, Council Member Gartin and the City Attorney ask that the Council

adopt a resolution affirming that the Council retroactively authorizes Council Member Gartin's votes on behalf of the City at the March 5, 2026, meeting of the Story County Emergency Management Commission.