

**CITY OF CARROLL, IOWA**  
**APPLICATION FOR APPOINTMENT TO A CITY BOARD/COMMITTEE/COMMISSION**

Date \_\_\_\_\_

Board/Commission Applied for \_\_\_\_\_

Name \_\_\_\_\_ Phone (Home) \_\_\_\_\_

Home Address \_\_\_\_\_  
Street City Zip Code

E-mail address: \_\_\_\_\_

Employer \_\_\_\_\_ Phone (Work) \_\_\_\_\_

Business Address \_\_\_\_\_  
Street City Zip Code

1. Are you a resident of the City of Carroll? Yes \_\_\_\_\_ No \_\_\_\_\_

2. Have you reviewed a copy of the duties relating to this Board/Commission? Yes \_\_\_\_\_ No \_\_\_\_\_

3. What additional knowledge/understanding of the Board/Commission do you have?  
\_\_\_\_\_  
\_\_\_\_\_

4. What experience/activities qualify you for this position? \_\_\_\_\_  
\_\_\_\_\_

5. Why do you want to serve on this Board/Commission? \_\_\_\_\_  
\_\_\_\_\_

6. Chapters 362.5, 362.6 and 403A.22 of the Code of Iowa, herewith attached, describe potential conflicts of interest for City officials. Will you have a potential for conflict of interest in serving on this Board/Commission? Yes \_\_\_\_\_ No \_\_\_\_\_

7. I understand the role and responsibilities of membership on this Board/Commission and am willing to serve. In applying for appointment, I understand the Mayor/City Council may make inquiries in the community pertinent to my appointment. Yes \_\_\_\_\_ No \_\_\_\_\_

8. If I am appointed, I am willing to attend designated Board/Commission training. Yes \_\_\_\_\_ No \_\_\_\_\_

9. If I am appointed, I agree to attend Board/Commission meetings at regular times and special meetings as needed. Yes \_\_\_\_\_ No \_\_\_\_\_

\_\_\_\_\_  
Signature

Applications are destroyed after 12 months unless reactivated by applicant. A separate form must be completed for each Board/Commission on which applicant desires serving. Use back side of application for additional information. File applications with the City Manager's office, City Hall, or mail to City Manager, 112 E. 5th Street, Carroll, Iowa 51401.

#### 403A.22 Personal interest prohibited.

No public official or employee of a municipality or board or commission thereof and no commissioner or employee of a municipal housing agency which has been vested with municipal housing project powers under section 403A.5, shall voluntarily acquire any personal interest, as hereinafter defined, whether direct or indirect, in any municipal housing project, or in any property included or planned to be included in any municipal housing project of such municipality, or in any contract or proposed contract in connection with such municipal housing project. Where such acquisition is not voluntary, the interest acquired shall be immediately disclosed in writing to the local governing body, and such disclosure shall be entered upon the minutes of the governing body. If any such official, commissioner or employee presently owns or controls, or has owned or controlled within the preceding two years, any interest, as hereinafter defined, whether direct or indirect, in any property which it is known is included or planned to be included in a municipal housing project, the commissioner shall immediately disclose this fact in writing to the local governing body, and such disclosure shall be entered upon the minutes of the governing body; and any such official, commissioner or employee shall not participate in any action by the municipality, or board or commission thereof affecting such property, as the terms of such proscription are hereinafter defined. For the purposes of this section the following definitions and standards of construction shall apply:

1. "Action affecting such property" shall include only that action directly and specifically affecting such property as a separate property but shall not include any action of which any benefits accrue to the public generally, or which affects all or a substantial portion of the properties included or planned to be included in such a project.

2. Employment by a state public body, its agencies, and institutions or by any other person as defined in subsection 18 of section 403.17, having such an interest shall not be deemed an interest by such employee or of any ownership or control by such employee of interests of the employee's employer. Such an employee may participate in a municipal housing project so long as any benefits of such participation accrue to the public generally, such participation affects all or a substantial portion of the properties included or planned to be included in such a project, or such participation promotes the public purposes of such project, and shall limit only that participation by an employee which directly or specifically affects property in which an employer of an employee has an interest.

3. The word "participation" shall be deemed not to include discussion or debate preliminary to a vote by a local governing body or agency upon proposed ordinances or resolutions relating to such a project or any abstention from such a vote.

4. The designation of a bank or trust company as a depository, paying agent, or agent for investment of funds shall not be deemed a matter of interest or personal interest.

5. Stock ownership in a corporation having such an interest shall not be deemed an interest of, or ownership or control by, the person owning such stocks when less than five percent of the outstanding stock of the corporation is owned or controlled directly or indirectly by such person.

6. The word "action" shall not be deemed to include resolutions advisory to the local governing body or agency by any citizens group, board, body, or commission designated to serve a purely advisory function of approving or recommending under this chapter.

7. The limitations of this section shall be construed to permit action by a public official, commissioner, or employee where any benefits of such action accrue to the public generally, such action affects all or a substantial portion of the properties included or planned to be included in such a project, or such action promotes the public purposes of such project, and shall be construed to limit only that action by a public official, commissioner, or employee which directly or specifically affects property in which such official, commissioner, or employee has an interest or in which an employer of such official, commissioner, or employee has an interest. Any violation of the provisions of this section shall constitute misconduct in office, but no ordinance or resolution of a municipality or agency shall be invalid by reason of a vote or votes cast in violation of the standards of this section unless such vote or votes were decisive in the passage of such ordinance or resolution.

[C62, 66, 71, 73, 75, 77, 79, 81, § 403A.22]

2000 Acts, ch 1154, §28

Prior actions in accord with this section legalized, 69 Acts, ch 238, § 2  
Subsection 5 amended

I have read and understand the above information.

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Signature

### **362.5 Interest in public contract prohibited -- exceptions.**

When used in this section, "contract" means any claim, account, or demand against or agreement with a city, express or implied.

A city officer or employee shall not have an interest, direct or indirect, in any contract or job of work or material or the profits thereof or services to be furnished or performed for the officer's or employee's city. A contract entered into in violation of this section is void. The provisions of this section do not apply to:

1. The payment of lawful compensation of a city officer or employee holding more than one city office or position, the holding of which is not incompatible with another public office or is not prohibited by law.
2. The designation of a bank or trust company as a depository, paying agent, or for investment of funds.
3. An employee of a bank or trust company, who serves as treasurer of a city.
4. Contracts made by a city, upon competitive bid in writing, publicly invited and opened.
5. Contracts in which a city officer or employee has an interest solely by reason of employment, or a stock interest of the kind described in subsection 9, or both, if the contract is for professional services not customarily awarded by competitive bid, if the remuneration of employment will not be directly affected as a result of the contract, and if the duties of employment do not directly involve the procurement or preparation of any part of the contract.
6. The designation of an official newspaper.
7. A contract in which a city officer or employee has an interest if the contract was made before the time the officer or employee was elected or appointed, but the contract may not be renewed.
8. Contracts with volunteer fire fighters or civil defense volunteers.
9. A contract with a corporation in which a city officer or employee has an interest by reason of stockholdings when less than five percent of the outstanding stock of the corporation is owned or controlled directly or indirectly by the officer or employee or the spouse or immediate family of such officer or employee.
10. Contracts not otherwise permitted by this section, for the purchase of goods or services by a city having a population of more than two thousand five hundred, which benefit a city officer or employee, if the purchases benefiting that officer or employee do not exceed a cumulative total purchase price of one thousand five hundred dollars in a fiscal year.
11. Contracts not otherwise permitted by this section for the purchase of goods or services by a city having a population of two thousand five hundred or less, which benefit a city officer or employee, if the purchases benefiting that officer or employee do not exceed a cumulative total purchase price of two thousand five hundred dollars in a fiscal year.
12. Franchise agreements between a city and a utility and contracts entered into by a city for the provision of essential city utility services.

[R60, § 1122; C73, § 490; C97, § 943; S13, § 668, 879-q, 1056-a31; C24, 27, 31, 35, 39, § 5673, 6534, 6710; C46, 50, § 363.47, 416.58, 420.20; C54, 58, 62, 66, 71, 73, § 368A.22; C75, 77, 79, 81, § 362.5]

84 Acts, ch 1228, § 1, 2; 87 Acts, ch 203, §1, 2; 88 Acts, ch 1246, §2, 3; 90 Acts, ch 1209, § 5, 6; 91 Acts, ch 60, §1, 2; 92 Acts, ch 1036, §1

### **362.6 Conflict of interest.**

A measure voted upon is not invalid by reason of conflict of interest in an officer of a city, unless the vote of the officer was decisive to passage of the measure. If a specific majority or unanimous vote of a municipal body is required by statute, the majority or vote must be computed on the basis of the number of officers not disqualified by reason of conflict of interest. However, a majority of all members is required for a quorum. For the purposes of this section, the statement of an officer that the officer declines to vote by reason of conflict of interest is conclusive and must be entered of record.

[C71, 73, § 368A.25; C75, 77, 79, 81, § 362.6]

I have read and understand the above information.

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Signature