

Date..... February 23, 2009

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, by adding and enacting a new Section 2-5 thereof, relating to runoff elections",

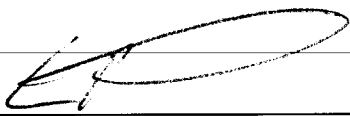
presented.

(Council Communication No. 09-106)

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)


Lawrence R. McDowell
Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

.....
Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, by adding and enacting a new Section 2-5 thereof, relating to runoff elections.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, is hereby amended by adding and enacting a new Section 2-5 relating to runoff elections, as follows:

Sec. 2-5. Runoff Elections.

(a) A runoff election, as provided in I.C. §376.9, shall be held in lieu of a primary election for the choosing of persons for elective offices.

(b) A runoff election shall be held only for positions unfilled because of failure of a sufficient number of candidates to receive a majority vote in the regular city election.

(c) Candidates who do not receive a majority of the votes cast for an office, but who receive the highest number of votes cast for that office in the regular city election, to the extent of twice the number of unfilled positions, are candidates in the runoff election.

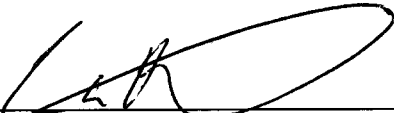
(d) Runoff elections shall be held four weeks after the date of the regular city election and shall be conducted in the same manner as regular city elections.

(e) Candidates in the runoff election who receive the highest number of votes cast for each office on the ballot are elected to the extent necessary to fill the positions open.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 3. That the City Clerk is hereby authorized and directed to certify and file with the Polk County Auditor, as Commissioner of Elections, the use of runoff elections by the City of Des Moines with a certified copy of this ordinance attached.

FORM APPROVED:



Lawrence R. McDowell
Deputy City Attorney