

City of Underwood, Iowa – Information 11/18/2025

On January 2, 2026, a City Council member position will become vacant. This is due to Josh Madsen moving into the mayoral position from the 11/4/25 election.

\The first council meeting in 2026 is January 13, 2025.

If interested in serving as a city council member, please contact City Hall at 712-566-2373.

Filling Vacancy by Appointment

One of the options a city council has in filling a vacancy is to appoint an individual to the seat. To do so, a notice of intent is required to be published not less than four and not more than 20 days before the date the council considers the appointment in accordance with Section 362.3 of the *Code of Iowa*. The notice must identify the vacancy, state the intention of the council to fill the vacancy by appointment and indicate the date, time and place of the meeting at which the appointment will be made. The notice must also state that the public has a right to petition for a special election.

The appointment to fill a vacancy must be made within 60 days of the date the vacancy occurred. The council may publish notice in advance if a resignation is to take effect at a future date. The council may make the appointment after the notice is published or after the vacancy occurs, whichever is later.

Anyone who the council considers for appointment is required to meet the same qualifications as a candidate seeking to run for the office. *Code of Iowa* Section 39.27 requires the candidate be an eligible elector and a resident of the city or ward for which the person seeks to represent. There is no required procedure for identifying candidates for appointment, other than ensuring any interested individuals are eligible for office. The city council can determine its own process for identifying potential candidates.

Filling Vacancy by Special Election

If the city council chooses to fill the vacancy by special election or must have a special election due to a petition, it may be held concurrently with any pending election (as provided by *Code of Iowa* Section 69.12). If it is held concurrently with a pending election, the vacancy must be filled within 90 days after the vacancy occurs. If not, the election shall be called at the earliest practical date. If the city has a primary election provision, notice to the auditor must be given at least 60 days before the special election date. For all other cities, notice to the auditor must be given at least 32 days before the special election date. If the remaining members do not constitute a quorum, the election shall be called at the earliest practical date.

Petition for Special Election After Appointment

If the city council chooses to fill a vacancy by appointment, the public can petition for a special election to fill the vacancy. The petition must be filed within 14 days after the appointment is made or the notice is published, whichever is later, and contain a sufficient number of signatures of eligible electors of the city. Below are the required number of signatures by city population:

- Less than 10,000 – At least 200 or at least the number of signatures equal to 15 percent of voters who voted for candidates for office on the ballot at the preceding regular election, whichever is fewer.
- Tenure of Filled Vacancy
- A person appointed to fill a council vacancy serves until the next city election, unless there is an intervening special election for that city (this was changed during the 2014 legislative session; the previous law stated appointees served until the next election, whether that election was the regular city election or state election). If a valid petition for a special election is filed, the appointment is temporary and the council shall call a special election to fill the vacancy permanently. A person elected to fill a vacancy serves the remaining balance of the term.