

## ORDINANCE NO. 2024-05

### AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF AVOCA, IOWA, BY AMENDING PROVISIONS PERTAINING TO A CULTURE AND RECREATION ADVISORY BOARD

**BE IT ENACTED** by the City Council of the City of Avoca, Iowa:

**SECTION 1. SECTION MODIFIED.** Section 6.5 of the Code of Ordinances of the City of Avoca, Iowa, is repealed and the following adopted in lieu thereof:

#### **6.5 Culture and Recreation Advisory Board.**

A. Culture and Recreation Advisory Board Created. A Culture and Recreation Advisory Board is hereby created to advise the Council on the use, development, rules, and future projects on City parks and open spaces including but not limited to the trails, swimming pool, golf course, cemetery, and parks. The Board shall also provide recommendations and respond to questions of the Council regarding recreational activities sponsored by the City or deferred to the Board for consultation by the Council.

B. Board Organization. The Culture and Recreation Advisory Board shall consist of seven members appointed by the Council following application and recommendation by the Board to the Council.

1. The initial Board shall consist of all active members of the City Park Commissioners and Golf Course Board, up to 10 members who shall serve the remainder of their existing term. However, following the expiration of the existing terms, the first three terms to expire shall be eliminated and only the last seven positions shall be filled by appointment of the Council. The initial appointments shall be as follows:

i. One member of the Golf Course Board whose term shall expire on March 31, 2024. This position on the Board shall not be filled by Council, reducing the number of members to nine.

ii. One member of the Golf Course Board whose term shall expire on March 31, 2025. This position on the Board shall not be filled by Council, reducing the number of members to eight.

iii. Two members of the Golf Course Board and one member of the Park Board whose term shall expire on March 31, 2026. The park board position shall not be filled by Council, reducing the number of members to seven.

- iv. One member of the Golf Course Board shall expire on March 31, 2027.
  - v. Two members of the Golf Course Board and one member of the Park Board shall expire on March 31, 2028.
  - vi. One member of the Park Board shall expire on March 31, 2030.
2. The term of a Culture and Recreation Advisory Board member shall be four years, except for the first group of appointments which shall be as outlined in Subparagraph 1.
  3. All terms shall begin on April 1 unless filled by appointment.
  4. Six members of the Board shall be residents of the City and one member may be either a resident of the City or a resident of the local area including the rural area around the City.
  5. Of the seven members of the Board at least four shall be members of the City owned golf course.
  6. Each member shall be allowed to serve a maximum of two consecutive full terms. However, should there not be any new applicants for a term on the Board the Council may choose to reappoint an outgoing Board member for one additional term. In no case shall any Board member serve more than three consecutive full terms.
  7. Vacancies shall be filled in the same manner as the original appointment for the balance of the term.
- C. Compensation. Board members shall serve without compensation but may receive reimbursement for expenses incurred in the performance of their duties following Council approval.
- D. Meetings. The Board shall meet at least once per month, which shall be scheduled for the first Tuesday of each month.
- E. Officers. The Board shall choose annually from its membership a Chairperson, Vice Chairperson, and Secretary.
- F. Treasurer. The Clerk shall serve as treasurer for the Board.
- G. Ex-Officio. The City Administrator shall be an ex-officio member of the Board and shall serve as its administrator but shall not have voting rights. In addition, the City Administrator shall not hold any office on the Board.
- H. Personnel. The Board shall not oversee or manage any City employees. They shall not hire or fire employees.

**SECTION 2. SECTION REPEALED.** The Code of Ordinances of the City of Avoca, Iowa, is hereby amended by repealing Section 6.5, which outlined the development of a Municipal Golf Course and Clubhouse service including the Golf Course Board.

**SECTION 3. SEVERABILITY CLAUSE.** If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

**SECTION 4. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by the Council on the 20th day of February, 2024, and approved this 20<sup>th</sup> day of February, 2024.



Tom Bruck, Mayor

ATTEST:



Teresa M Hoepner, City Clerk

First Reading: January 16, 2024  
Second Reading: February 05, 2024  
Third Reading: February 20, 2024

I certify that the foregoing was published as Ordinance No. 2024-05 on the 27th day of February, 2024.



Teresa M Hoepner, City Clerk