

ORDINANCE NO. 362

AN ORDINANCE COMBINING CHAPTER 23 PARK AND RECREATION COMMISSION AND CHAPTER 24 ROSE GARDENT BOARD INTO CHAPTER 23 AS ONE BOARD.

WHEREAS the City of Council of the City of State Center recognizes that the Park and Recreation Commission and the Rose Garden Board are often comprised of many of the same volunteer members and that the two have many common qualifications, powers, and duties; and,

WHEREAS the chairpersons of the afore mentioned commission and board have approached the City Council with the idea that the Park and Recreation Commission and the Rose Garden Board and their respective City Code Chapters would best serve the City as a combined unit;

BE IT ORDAINED by the City Council of the City of State Center that Chapters 23 and 24 as adopted November 17, 2020, and on December 3, 2020, published notice of the same, are hereby rescinded and the following Chapter 23 Park, Recreation and Rose Garden Board be adopted:

SECTION 1. CHAPTER MODIFIED:

CHAPTER 23 PARK, RECREATION AND ROSE GARDEN BOARD

23.01 Board Created	23.06 Vacancies
23.02 Qualifications of Board Members	23.07 Records
23.03 Compensation	23.08 Jurisdiction
23.04 Officers	23.10 Powers and Duties
23.05 Board Meetings	23.11 Accounting
	23.12 Termination of Board

23.01 BOARD CREATED. The Park, Recreation and Rose Garden Board, consisting of five members with the Mayor serving as an ex officio member of the Board, is hereby created as an administrative agency of the City to maintain and improve the public parks of the City including the State Center Rose Gardens, such Board to have commensurate authority to perform such duty. Board members shall be nominated by the Board President and appointed by the Mayor with consent of the Council. The Mayor, with the approval of the Council, may appoint such other ex officio members as may be beneficial to the park, recreation, and Rose Garden programs of the City.

23.02 QUALIFICATIONS OF BOARD MEMBERS. All five members of the Board shall be bona fide residents of the City and all shall be over the age of 18 years.

23.03 COMPENSATION. The members of the Board shall receive no compensation for their services.

23.04 TERMS OF OFFICE. All appointments to the Board shall be for staggered, five-year terms, and shall coincide with the City fiscal year of July 1 to June 30.

23.05 OFFICERS. The officers of the Board to be elected at the annual organizational

meeting shall be a President, Vice President and Secretary-Treasurer. Meetings of the Board shall be presided over by the President and in the absence of the President by the Vice President. The Secretary-Treasurer shall prepare and preserve minutes of all meetings of the Board and shall prepare and preserve a complete accounting of all financial affairs of the Board.

23.06 BOARD MEETINGS. During the month of July of each year the Board shall hold an organizational meeting on the call of the President. At the organizational meeting, the Board shall elect from among its members officers to serve during the fiscal year and shall fix a schedule of regular meetings for the fiscal year. Special meetings of the Board may be held on call of the President or a majority of the members. The failure of a member to attend at least 50 percent of the regular meetings of the Board during a fiscal year shall constitute a resignation from the Board by such member.

23.07 VACANCIES. A vacancy on the Board shall be filled by the Board even if the remaining members of the Board do not constitute a quorum. All appointments by the Board shall be subject to and become effective upon approval of the Mayor and Council. The appointment to fill a scheduled vacancy for a regular five-year term commencing on July 1 shall be accomplished during the preceding June. An appointment to fill a vacancy for the remainder of an unexpired term shall be accomplished within 60 days after the vacancy occurs.

23.08 RECORDS. The Board shall keep a permanent record of all its meetings and shall deliver to the Clerk copies of the minutes of each and every meeting of the Board within a reasonable time after each meeting but never less than two days before the next scheduled meeting of the Council.

23.09 JURISDICTION. The Board shall have, subject to the direction of the Council when and as the Council may deem advisable, control of the City's public parks, Rose Garden, playgrounds, and recreation centers whether within or without the corporate limits of the City and the ordinances of the City shall be in full force and effect in and over those areas under the jurisdiction of the Board.

23.10 POWERS AND DUTIES. The Board shall possess and exercise the following powers and duties:

1. Recommendations. Develop and recommend to the Council policies, rules, regulations, ordinances, and budgets relating to the care, use, government and management of the parks, playgrounds, Rose Garden and recreation centers over which the Board has jurisdiction.
2. Annual Reports. Transmit to the Council during the month of July of each year a report of the Board's activities and recommendations for the development and operation of the parks, playgrounds, recreation centers and programs over which the Board has jurisdiction.
3. Program Integration. Be responsible for integrating its programs with other governmental agencies, including, but not limited to, the City, the Community School Districts, the County and other municipalities within the area.
4. Personnel. Employ any such personnel as may be necessary for the proper management of the parks, playgrounds, recreation centers and programs and to fix their terms of employment, duties, and compensation subject to approval by the Council.
5. Funds. Have control of the expenditure of funds allocated for park, playground, recreation, and program purposes by the Council, and of all moneys available by gift or

otherwise under the rules established by the Board; provided, however, any expenditure in excess of \$1,000.00 must have the prior approval of the Council and the Board must stay within its budget.

6. Contracts. Enter into contracts subject to the approval of the Council.
7. Gifts. Accept gifts, devises, and bequests of real property subject to the approval of the Council and of personal property, either outright or in trust, and enforce the performance of conditions which may be attached to such gifts, devises, or bequests.

XX.11 ACCOUNTING. All funds received by the Board from appropriations by the Council or by gifts from private citizens or from any other sources shall be deposited in a Federally insured bank account and disbursed therefrom upon the order of the Board by checks co-signed by the President and Secretary-Treasurer. The Board shall cooperate with and provide to the City Clerk all requested documents required for the annual financial audit.

XX.12 TERMINATION OF BOARD. In the event that the Board ceased to exist as an administrative agency of the City, the accumulated and unexpended funds of the Board shall be allocated by the Council to a special trust fund to be used for accomplishing the purposes for which the Board was created.

SECTION 2. CHAPTER DELETED. Chapter 24 is removed from the 2020 State Center Code of Ordinances

SECTION 3. REPEALER. All ordinances or part of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision, or part of this Ordinance shall be adjudged invalid, unconstitutional, or unenforceable for any reason, such adjudication shall not affect the validity of enforcement of the remaining provisions.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

1st Reading, May 18, 2021

2nd Reading, June 15, 2021

3rd Reading, Waived June 15, 2021

Ordinance 362 is passed and adopted by the City Council of the City of State Center the 15th day of June 2021.

Effective upon publication in the Mid Iowa Enterprise.

Steve Sodders, Mayor

Attest:

Lori Bearden, City Clerk

I certify that the forgoing was published as Ordinance No. 362 on the 24th day of June 2021.

(Seal)


Lori Bearden, City Clerk

