

ORDINANCE NO. 6386

AN ORDINANCE TO AMEND CHAPTER 1.65 "COUNCIL BLUFFS ARENA AND CONVENTION CENTER COMMISSION" OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTIONS 1.65.050, 1.65.090 AND 1.65.100.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

SECTION 1. That Chapter 1.65 "Council Bluffs Arena Convention Center Commission" of the 2015 Municipal Code of Council Bluffs, Iowa, is amended as follows:

1.65.050 - Members—Vacancy.

The position of a commission member shall be deemed vacant if he or she no longer meets the qualifications set out in Section 1.65.030. Any commissioner who misses two consecutive meetings shall be dismissed at the request of the Mayor or upon direct action by the City Council. Vacancies on the commission shall be filled by appointment by the mayor, with the approval of the city council. Appointments made to fill vacancies shall be for the balance of the term of the commission member being replaced.

1.65.090 - Powers and duties.

The board shall have and exercise the following powers and duties:

- (1) To meet and elect from its membership a chairperson, a vice chairperson, and such other officers deemed necessary;
- (2) To establish policy and long-term goals for the arena and convention center;
- (3) To develop, negotiate, oversee, and make recommendations to the council on the contract for the management of the arena and convention center;
- (4) To make recommendations to the city council regarding contracts which the city must enter in connection with the arena and convention center;
- (5) To make and adopt, amend, modify, or repeal rules and regulations not inconsistent with this chapter or the laws of the city and state for the operation and promotion of an arena and convention center;
- (6) To review the proposed budget for the arena and convention center and to make recommendations regarding its adoption by the city council;
- (8) To monitor the expenditures of funds allocated for the operation and promotion of the arena and convention center.

1.65.100 - Annual reports.

The commission shall make annual reports to the city council. These reports shall contain statements of the activities at the arena and convention center; the annual accounting of its finances from the previous fiscal year; and a proposed budget for the upcoming fiscal year. This report shall be due on the first day of December, and is to be filed with the city clerk.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND
APPROVED

June 10, 2019.



MATTHEW J. WALSH Mayor

Attest: 

JODI QUAKENBUSH City Clerk

First Consideration: 5-20-19
Second Consideration: 6-10-19
Public Hearing: N/A
Third Consideration: Waived

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by: Richard Wade

Ordinance 6386
ITEM 7.A.

Council Action: 6/10/2019

Description

Ordinance to amend Chapter 1.65 "Council Bluffs Arena and Convention Center Commission", by amending Sections 1.65.050, 1.65.090 and 1.65.100.

Background/Discussion

The Convention and Visitors Bureau now contracts directly with the City for services and the duties are no longer combined or supervised by or with the Arena Commission.

Recommendation

Legal recommends these amendments.

ATTACHMENTS:

Description	Type	Upload Date
Ordinance with amendments highlighted	Other	5/9/2019
Updated Ordinance 6386	Ordinance	5/21/2019

Chapter 1.65 - COUNCIL BLUFFS ARENA AND CONVENTION CENTER COMMISSION

Sections:

1.65.050 - Members—Vacancy.

The position of a commission member shall be deemed vacant if he or she no longer meets the qualifications set out in Section 1.65.030. ~~Any commissioner who misses more than twenty (20) percent of the meetings in a calendar year shall be dismissed at the request of the mayor or upon direct action by the city council.~~ Vacancies on the commission shall be filled by appointment by the mayor, with the approval of the city council. Appointments made to fill vacancies shall be for the balance of the term of the commission member being replaced.

1.65.090 - Powers and duties.

The board shall have and exercise the following powers and duties:

(1) To meet and elect from its membership a chairperson, a vice chairperson, and such other officers deemed necessary;

(2) To establish policy and long-term goals for the arena and convention center, ~~and the convention and visitors bureau;~~

(3) To develop, negotiate, oversee, and make recommendations to the council on the contract for the management of the arena and convention center;

~~(4) To develop, negotiate, oversee, and make recommendations to the council on the contract for the operation of a convention and visitors bureau;~~

~~(45)~~ To make recommendations to the city council regarding contracts which the city must enter in connection with the arena and convention center;

~~(56)~~ To make and adopt, amend, modify, or repeal rules and regulations not inconsistent with this chapter or the laws of the city and state for the operation and promotion of an arena and convention center;

~~(67)~~ To review the proposed budget for the arena and convention center and to make recommendations regarding its adoption by the city council; (8) To monitor the expenditures of funds allocated for the operation and promotion of the arena and convention center.

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The mayor shall designate and provide appropriate staff to assist the board in the performance of its duties.

Proof Of Publication

State of Iowa

Pottawattamie County

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- (4) To make recommendations to the city council regarding contracts which the city must enter in connection with the arena and convention center;
- (5) To make and adopt, amend, modify, or repeal rules and regulations not inconsistent with this chapter or the laws of the city and state for the operation and promotion of an arena and convention center;
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SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

I, Tom Schmitt, on my oath do solemnly that I am Publisher of the COUNCIL BLUFFS DAILY NONPAREIL, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

The attached notice was published in said newspaper 1 consecutive time(s) as follows:

The First publication thereof began on the 14th day of June, 2019.

Signed in my presence by the said Tom Schmitt and by her sworn to before me this 14th day of June, A.D. 2019.

PASSED
AND
APPROVED
June 10, 2019.

MATTHEW J. WALSH Mayor

Attest:
JODI QUAKENBUSH City Clerk

First Consideration: 5-20-19
Second Consideration: 6-10-19
Public Hearing: N/A
Third Consideration: Waived
2019(6)14-1 Friday


Tom Schmitt
Daily Nonpareil Publisher


Jeannette Johnson
Notary Public



JEANNETTE JOHNSON
Commission Number 144856
MY COMMISSION EXPIRES
OCTOBER 1, 2020

Filed this 14th day of June, A.D. 2019.

Publication Cost: \$54.01

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