

ORDINANCE NO. 1127

AN ORDINANCE AMENDING THE CLIVE CITY CODE 2019, TO REMOVE/AMEND PROVISIONS PERTAINING TO THE PUBLIC ARTS ADVISORY COMMISSION, TO MERGE THOSE DUTIES AND RESPONSIBILITIES WITH THE PARKS AND RECREATION BOARD AND TO RENAME THE PARKS AND RECREATION BOARD TO THE "PARKS, RECREATION AND PUBLIC ARTS BOARD"

Be It Enacted by the City Council of the City of Clive, Iowa:

SECTION 1. INTERNAL REFERENCES. All references to section numbers in this ordinance shall be to titles, chapters and sections contained in the "Clive City Code, 2019" unless otherwise specified.

SECTION 2. AMENDMENTS.

- Title 1-7-3: *Mayor Appointments*, Subsection C is hereby stricken and replaced as follows:

Parks, recreation and public art board (subject to council approval).

- Title 1-7-3: *Mayor Appointments*, Subsection E is hereby stricken.
- Title 1-8-5: *Council Appointments*, Subsection H is hereby stricken and replaced as follows:

Parks, recreation and public art board.

- Title 1-8-5: *Council Appointments*, Subsection J is hereby stricken.
- Title 2-5: Chapter title is hereby stricken and replaced as follows:

PARKS, RECREATION AND PUBLIC ART BOARD

- Title 2-5-1: *Board Created* is hereby stricken and replaced as follows:

A parks, recreation and public art board is hereby created to advise the council on the needed facilities to provide recreational opportunities and programs for the enjoyment of the residents of the city through planning, acquisition, and development of quality parks, public art and recreation facilities.

- Title 2-5-2: *Board Organization*, Subsection A is hereby stricken and replaced as follows:

A. Appointment; Terms; Compensation: The board shall consist of nine (9) resident, voting members appointed by the mayor, with the approval of the council. Appointments shall be made for three (3) year terms, with the expiration of the terms staggered over a three (3) year period. Two (2) of the board members' terms shall expire on January 1, 2003, three (3) of the board members' terms shall expire on January 1, 2004, and two (2) of the board members' terms shall expire on January 1, 2005. Subsequent appointments shall be made for three (3) year terms. Members of the board shall serve without

compensation, but may receive reimbursement for their actual expenses. In the event a vacancy arises, a new board member shall be appointed by the mayor with the approval of the council, and the board member so appointed shall serve out the unexpired term. Said vacancy shall be filled within sixty (60) days after the position becomes vacant

- Title 2-5-3: *Qualifications* is hereby stricken and replaced as follows:  
Members of the parks, recreation and public art board shall be at least eighteen (18) years of age and reside within the corporate limits of the city. Board members are required to possess a demonstrated interest in parks and recreation.
- Title 2-5-4: *Powers and Duties*, Subsection A. and B are hereby stricken and replaced as follows:

A. The board shall advise the council on plans for parks, public art and recreation and their facilities and shall update and revise these plans as required. The board shall have all administrative powers in the adoption of policies, rules and regulations, subject to council review, pertaining to the use and control of all city parks and recreational buildings and facilities.

B. The Leisure Services Director, in consultation with the board, shall prepare an annual budget request for its operation, based upon the municipal fiscal year, and submit the same to the city manager for review and incorporation into the city manager's budget request prior to being submitted to the council.

- Title 2-5-6: *City Tree Committee* is hereby stricken and replaced as follows:

A city tree committee shall be established as a standing committee of the parks, recreation and public art board. The committee shall consist of not less than three (3) members who shall be citizens or residents of the city. The members of the committee shall be appointed annually by the chairperson of the parks, recreation and public art board. The committee shall study, investigate, counsel and develop plans for the care, preservation, planting, and maintenance of trees and shrubs in parks, along public rights of way and in other public areas owned by the city. Such plans will be presented at regular intervals, no greater than every five (5) years, to the parks, recreation and public art board for acceptance and approval. Upon acceptance and approval of the plan by the board, the written plan shall constitute the official comprehensive city tree plan. The committee, when requested by the parks, recreation and public art board or council, shall consider, investigate, make findings, report and recommend upon any special matter of question within the scope of its work


- Title 2-6: *Public Arts Advisory Commission* is hereby stricken.

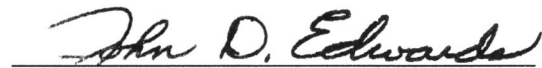
SECTION 3. REPEALER. All parts of the "CLIVE CITY CODE 2019" in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision, sentence, clause, phrase or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this Ordinance as a whole or any section, subsection, provision, sentence, clause, phrase or part thereof not adjudged invalid or unconstitutional.

SECTION 5. WHEN EFFECTIVE. This Ordinance shall be in effect from and after its final passage, approval and notice of its passage is given as provided by law.


PASSED AND APPROVED by the City Council on the 8 day of December, 2022.

  
Matthew D. Graham, City Clerk

  
John Edwards, Mayor

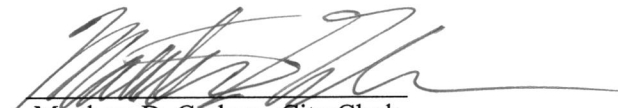
Ordinance No. 1127 authenticated this 8 day of December, 2022.

  
Matthew D. Graham, City Clerk

  
John Edwards, Mayor

Officially published on the 16 day of December, 2022.

CERTIFIED BY:

  
Matthew D. Graham, City Clerk



CLIVE, CITY OF  
1900 NW 114TH ST

CLIVE IA 503257077

# of Affidavits: 1

This is not an invoice

## AFFIDAVIT OF PUBLICATION

State of Wisconsin

County of Brown, ss.:

The undersigned, being first duly sworn on oath, states that The Des Moines Register and Tribune Company, a corporation duly organized and existing under the laws of the State of Iowa, with its principal place of business in Des Moines, Iowa, the publisher of

### THE DES MOINES REGISTER

newspaper of general circulation printed and published in the City of Des Moines, Polk County, Iowa, and that an advertisement, a printed copy of which is attached as Exhibit "A" and made part of this affidavit, was printed and published in The Des Moines Register in the editions dated:


Ad No.	Start Date:	Editions Dated:	Cost:
0005521597	12/16/22	12/16/2022	\$126.62

Copy of Advertisement  
Exhibit "A"

  
Staff member, Register Media

Subscribed and sworn to before me by said affiant this

16 day of December, 2022

  
Notary Public

  
Commission expires

KATHLEEN ALLEN  
Notary Public  
State of Wisconsin

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THE CLIVE CITY CODE 2019 TO  
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TO MERGE THOSE DUTIES  
AND RESPONSIBILITIES WITH  
THE PARKS AND RECREATION  
BOARD AND TO RENAME THE  
PARKS AND RECREATION  
BOARD TO THE "PARKS,  
RECREATION AND PUBLIC  
ARTS BOARD"

Be It Enacted by the City Council  
of the City of Clive, Iowa:

SECTION 1. INTERNAL  
REFERENCES. All references to  
section numbers in this ordinance  
shall be to titles, chapters and  
sections contained in the "Clive  
City Code, 2019" unless otherwise  
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SECTION 2. AMENDMENTS.

• Title 1-7-3: *Mayor Appointments*,  
Subsection C is hereby stricken  
and replaced as follows:  
Parks, recreation and public art  
board (subject to council  
approval).

• Title 1-7-3: *Mayor Appointments*,  
Subsection E is hereby stricken.

• Title 1-8-5: *Council  
Appointments*, Subsection H is  
hereby stricken and replaced as  
follows:  
Parks, recreation and public art  
board.

• Title 1-8-5: *Council  
Appointments*, Subsection J is  
hereby stricken.

• Title 2-5: Chapter title is hereby  
stricken and replaced as follows:  
PARKS, RECREATION AND  
PUBLIC ART BOARD

• Title 2-5-1: *Board Created* is  
hereby stricken and replaced as  
follows:

A parks, recreation and public art  
board is hereby created to advise  
the council on the needed facilities  
to provide recreational  
opportunities and programs for  
the enjoyment of the residents of  
the city through planning,  
acquisition, and development of  
quality parks, public art and  
recreation facilities.

• Title 2-5-2: *Board Organization*,  
Subsection A is hereby stricken  
and replaced as follows:

A. Appointment; Terms;  
Compensation: The board shall  
consist of nine (9) resident, voting  
members appointed by the mayor  
with the approval of the council.  
Appointments shall be made for  
three (3) year terms, with the  
expiration of the terms staggered  
over a three (3) year period. Two  
(2) of the board members' terms  
shall expire on January 1, 2003,  
three (3) of the board members'  
terms shall expire on January 1,  
2004, and two (2) of the board  
members' terms shall expire on  
January 1, 2005. Subsequent  
appointments shall be made for  
three (3) year terms. Members of  
the board shall serve without  
compensation, but may receive  
reimbursement for their actual  
expenses. In the event a vacancy  
arises, a new board member shall  
be appointed by the mayor with  
the approval of the council, and  
the board member so appointed  
shall serve out the unexpired  
term. Said vacancy shall be filled  
within sixty (60) days after the  
position becomes vacant.

• Title 2-5-3: *Qualifications* is  
hereby stricken and replaced as  
follows:

Members of the parks, recreation  
and public art board shall be at  
least eighteen (18) years of age  
and reside within the corporate  
limits of the city. Board members  
are required to possess a  
demonstrated interest in parks  
and recreation.

• Title 2-5-4: *Powers and Duties*,  
Subsection A. and B are hereby  
stricken and replaced as follows:

A. The board shall advise the  
council on plans for parks, public  
art and recreation and their  
facilities and shall update and  
revise these plans as required.  
The board shall have all  
administrative powers in the  
adoption of policies, rules and  
regulations, subject to council  
review, pertaining to the use and  
control of all city parks and  
recreational buildings and  
facilities.

B. The Leisure Services Director,  
in consultation with the board,  
shall prepare an annual budget  
request for its operation, based  
upon the municipal fiscal year,  
and submit the same to the city  
manager for review and  
incorporation into the city  
manager's budget request prior to  
being submitted to the council.

• Title 2-5-6: *City Tree Committee*  
is hereby stricken and replaced as  
follows:

A city tree committee shall be  
established as a standing  
committee of the parks, recreation  
and public art board. The  
committee shall consist of not less  
than three (3) members who shall  
be citizens or residents of the city.  
The members of the committee  
shall be appointed annually by the  
chairperson of the parks,  
recreation and public art board.  
The committee shall study,  
investigate, counsel and develop  
plans for the care, preservation,  
planting, and maintenance of trees  
and shrubs in parks, along public  
rights of way and in other public  
areas owned by the city. Such  
plans will be presented at regular

Plans will be presented at regular intervals, no greater than every five (5) years, to the parks, recreation and public art board for acceptance and approval. Upon acceptance and approval of the plan by the board, the written plan shall constitute the official comprehensive city tree plan. The committee, when requested by the parks, recreation and public art board or council, shall consider, investigate, make findings, report and recommend upon any special matter of question within the scope of its work.

\* Title 2-6: *Public Arts Advisory Commission* is hereby stricken.

SECTION 3. REPEALER. All parts of the "CLIVE CITY CODE 2019" in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision, sentence, clause, phrase or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this Ordinance as a whole or any section, subsection, provision, sentence, clause, phrase or part thereof not adjudged invalid or unconstitutional.

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PASSED AND APPROVED by the City Council on the 8 day of December, 2022.

Matthew D. Graham, City Clerk

John Edwards, Mayor

Ordinance No. 1127 authenticated

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Officially published on the 16 day

of December, 2022.

CERTIFIED BY:

Matthew D. Graham, City Clerk